

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: November 7, 2019
Development Services Building – Bob Clear Conference Room

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

PUBLIC HEARING:

Case: 19-701-00025 – Property located at Orchard Place, Control Map 046N, Group B Parcel 022.00, requests a 26.8 foot front yard variance and a 27 foot rear yard variance to Sec 114-182(e)1(c,e) for the purpose of constructing a new single family home. The property is zoned R-1A, Residential District.

INTERESTED PARTIES:

Owner: David Shivell
1745 Orchard Place
Kingsport, TN 37660
423.246-7958

Representative: Vincent Hickam

Case: 19-701-00026 – Property located at 716 Chippendale Road, Control Map 60B, Parcel 011.00, requests a 4 foot side yard variance to Sec 114-182(e)1(d)1 for the purpose of attaching a carport to the side of the existing home. The property is zoned R-1A, Residential District.

INTERESTED PARTIES:

Owner: Carl Strickler
716 Chippendale Road
Kingsport, TN 37660
423.247.1766

Representative: Carl Strickler

Case: 19-701-00027 – Property located at 4009 Rick Slaughter Court, Control Map 0900, Group F, Parcel 018.00, requests a 10 foot rear yard variance to Sec 114-183(e)1(e) for the purpose of adding a garage onto the rear of the existing home. The property is zoned R-1B, Residential District.

INTERESTED PARTIES:

Owner: Stephen Clark
4009 Rick Slaughter Court
Kingsport, TN 37660
423.737.6038

Representative: Stephen Clark

Case: 19-701-00028 – Property located at 235 East Center Street, Control Map 046P, Group C, Parcels 018.00, 019.00, and 020.00 requests a 129 square foot variance to Sec. 114-194(g)2 and a 1.75 square foot variance to Sec 114-528(1)b for the purpose of providing new wall signage. The property is zoned B-2, Central Business District.

INTERESTED PARTIES:

Owner: Marion McClendon
235 E Center Street
Kingsport, TN 37660
901.523.4131

Representative: Charity Sparks

Case: 19-701-00029 – Property located on Tidewater Court, Control Map 076, Parcel 020.00, requests approval from the Board of Zoning Appeals to reestablish a non-conforming use of a temporary laydown yard. The property is zoned B-4P, Planned Business District and A-1, Agricultural District.

INTERESTED PARTIES:

Owner: Roy Anderson
128 Arlington Circle
Kingsport, TN 37663
423.340.9000

Representative: James Holmes

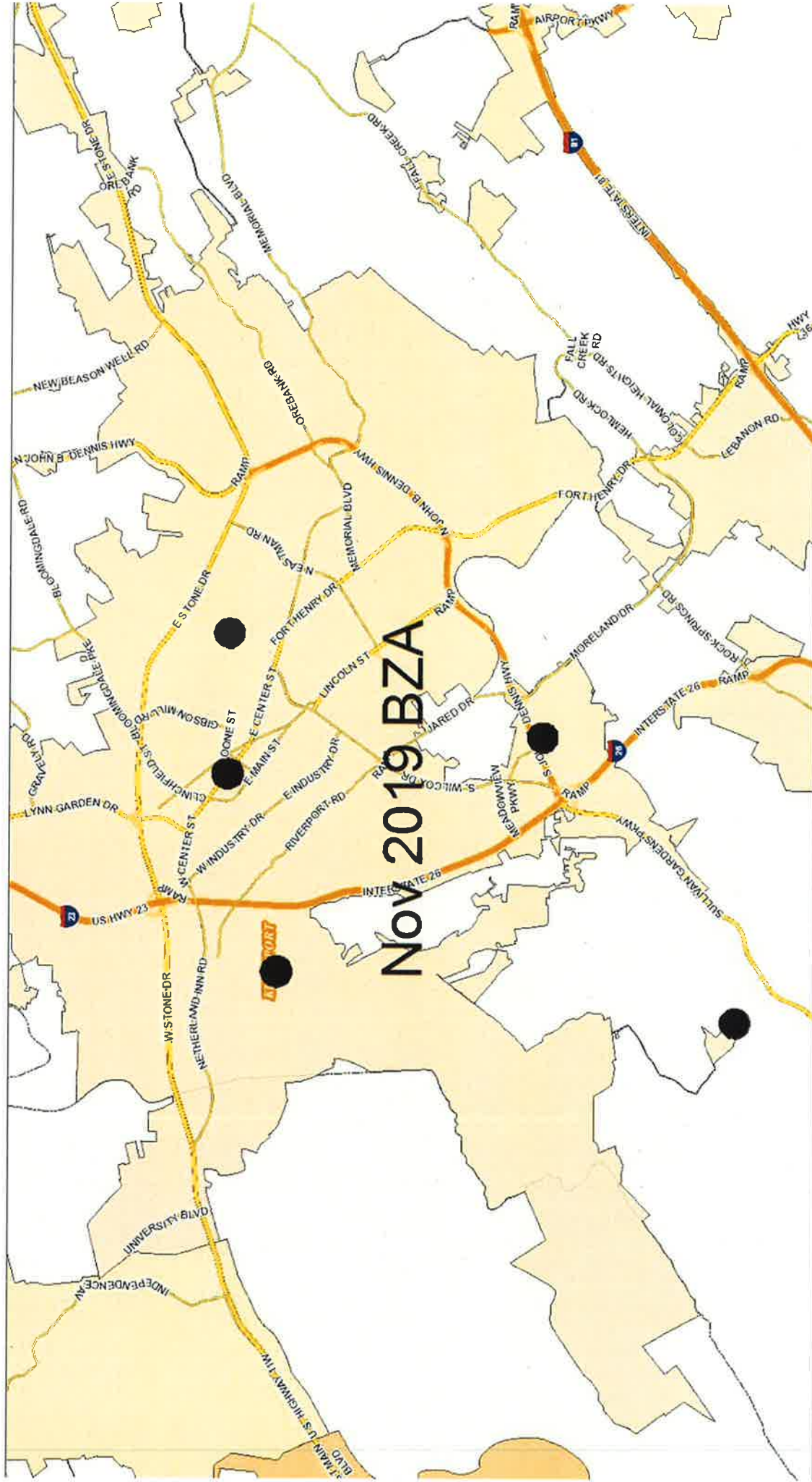
BUSINESS:

Approval of the October 3, 2019 driving tour and regular meeting minutes.

Stating for public record, the next application deadline is November 15, 2019 at noon, and meeting date (Thursday, December 5, 2019).

ADJUDICATION OF CASES:

ADJOURNMENT:





TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: October 25, 2019

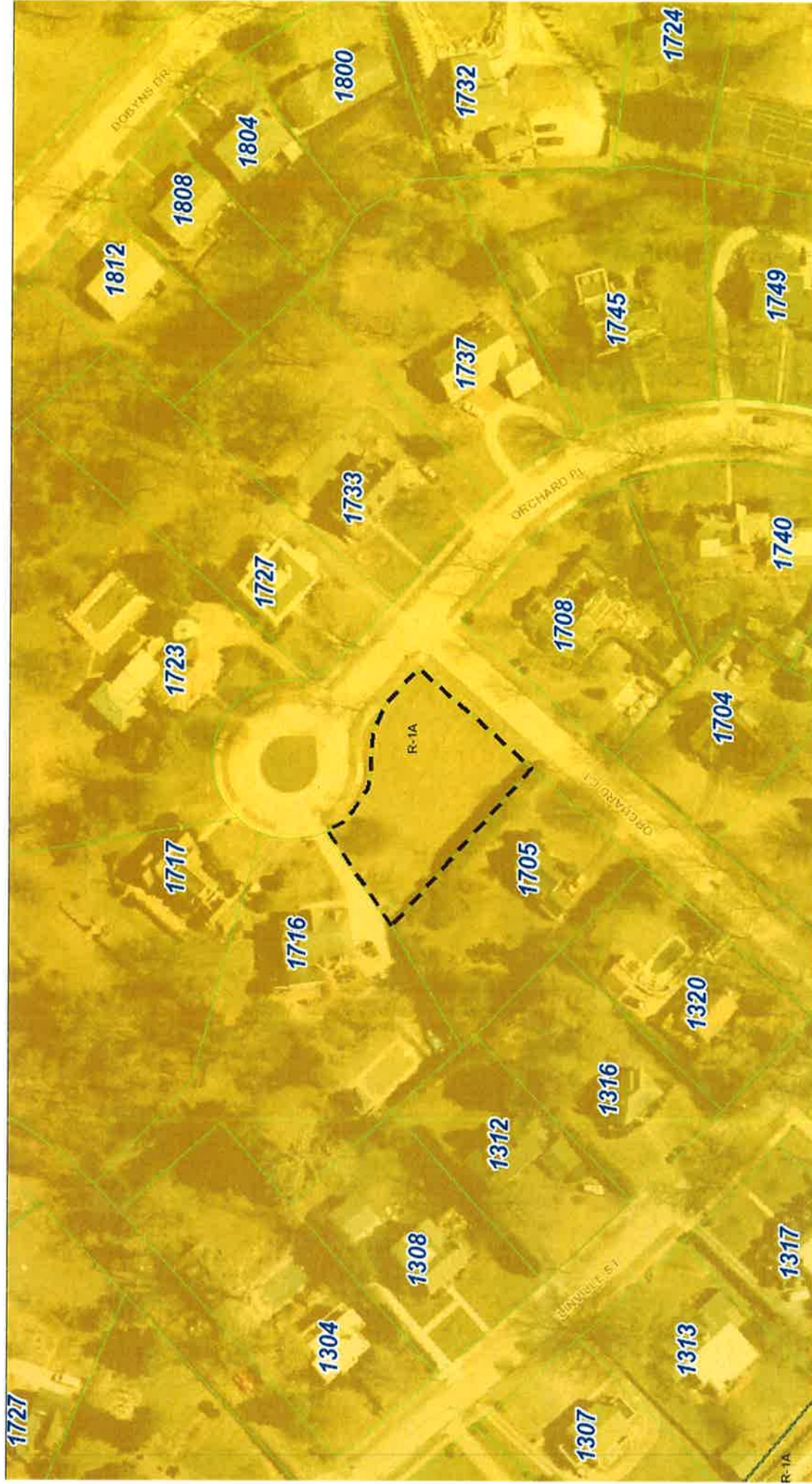
RE: Orchard PI

The Board is asked to consider the following request:

Case: 19-701-00025 – Property located at Orchard Place, Control Map 046N, Group B Parcel 022.00, requests a 26.8 foot front yard variance and a 27 foot rear yard variance to Sec 114-182(e)1(c,e) for the purpose of constructing a new single family home. The property is zoned R-1A, Residential District.

This proposal would accommodate a new single family home of substantial size. Facing the structure towards either Orchard PI or Orchard Ct would require a variance due to the size of the structure. After speaking with adjacent neighbors, the applicant proposes the new house to face Orchard PI in accordance with the desire of the neighborhood.

ArcGIS Web Map



25/2019, 8:59:06 AM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels

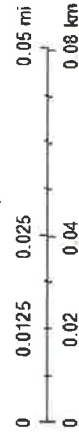
r Zoning

<Null>

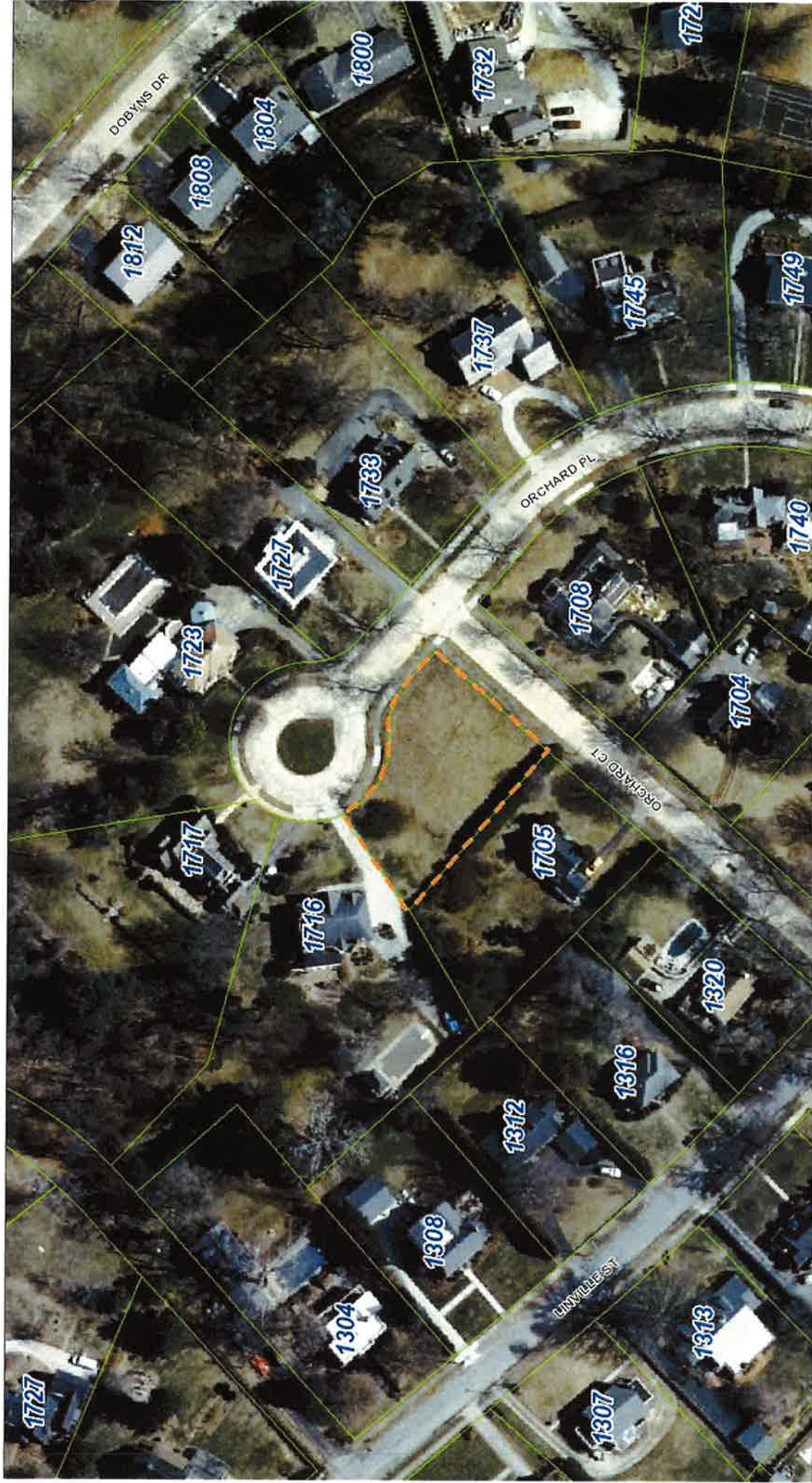
TAC

R-5	B-1	B-4P	MX	PMD-1	R-1B	R-4
GC	B-2	BC	P-1	PMD-2	R-1C	Split
B-2E	B-3	GC	P-D	PUD	R-2	TA
A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
AR	B-4P	M-2	PD	R-1A	R-3B	

1:1,128



ArcGIS Web Map



25/2019, 8:42:50 AM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels

1:1,128



APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	SHIVELL	First	DAVID	M.I.		Date	10/14/19
Street Address	1745 ORCHARD PLACE					Apartment/Unit #	
City	KINGSPORT	State	TENN	ZIP	37660		
Phone	423 246-7958		E-mail Address	DSHIVELL@CHARTER.NET			

PROPERTY INFORMATION:

Tax Map Information	Tax map: 046N	Group: B	Parcel: 03200	Lot: 6
Street Address	ORCHARD PLACE			
Current Zone	R1A	Proposed Zone	R1A	
Current Use	VACANT LOT	Proposed Use	CONSTRUCTION OF NEW HOME	

REPRESENTATIVE INFORMATION:

Last Name	HICKAM	First	VINCENT	M.I.	K	Date	10/14/19
Street Address	357 HEATHER VIEW DRIVE					Apartment/Unit #	
City	JONESBOROUGH	State	TENN	ZIP	37659		
Phone	423 262-9828		E-mail Address	VKHICKAM@GMAIL.COM			

REQUESTED ACTION:

I REQUEST A VARIANCE TO THE 40 FOOT FRONT YARD SETBACK RULE AND THE 30 FOOT BACK YARD SETBACK RULE. THE REPRESENTATIVE (PURCHASER OF PROPERTY) DESIRES TO BUILD A NEW HOME. I REQUEST THAT THE FRONT BE REDUCED TO 13.2' AND THE BACK TO 3.0'.

DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature:

[Handwritten Signature]

Date:

10-14-2019

Signed before me on this 14th day of October, 20 19

a notary public for the State of Tennessee

County of Sullivan

Notary

[Handwritten Signature]

My Commission Expires 10/23/19



Variance Worksheet – Finding of Facts

Variances. Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

- a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

SEE ATTACHED

- b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.

SEE ATTACHED

- c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

SEE ATTACHED

d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

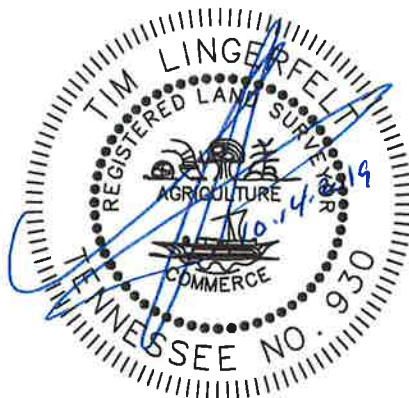
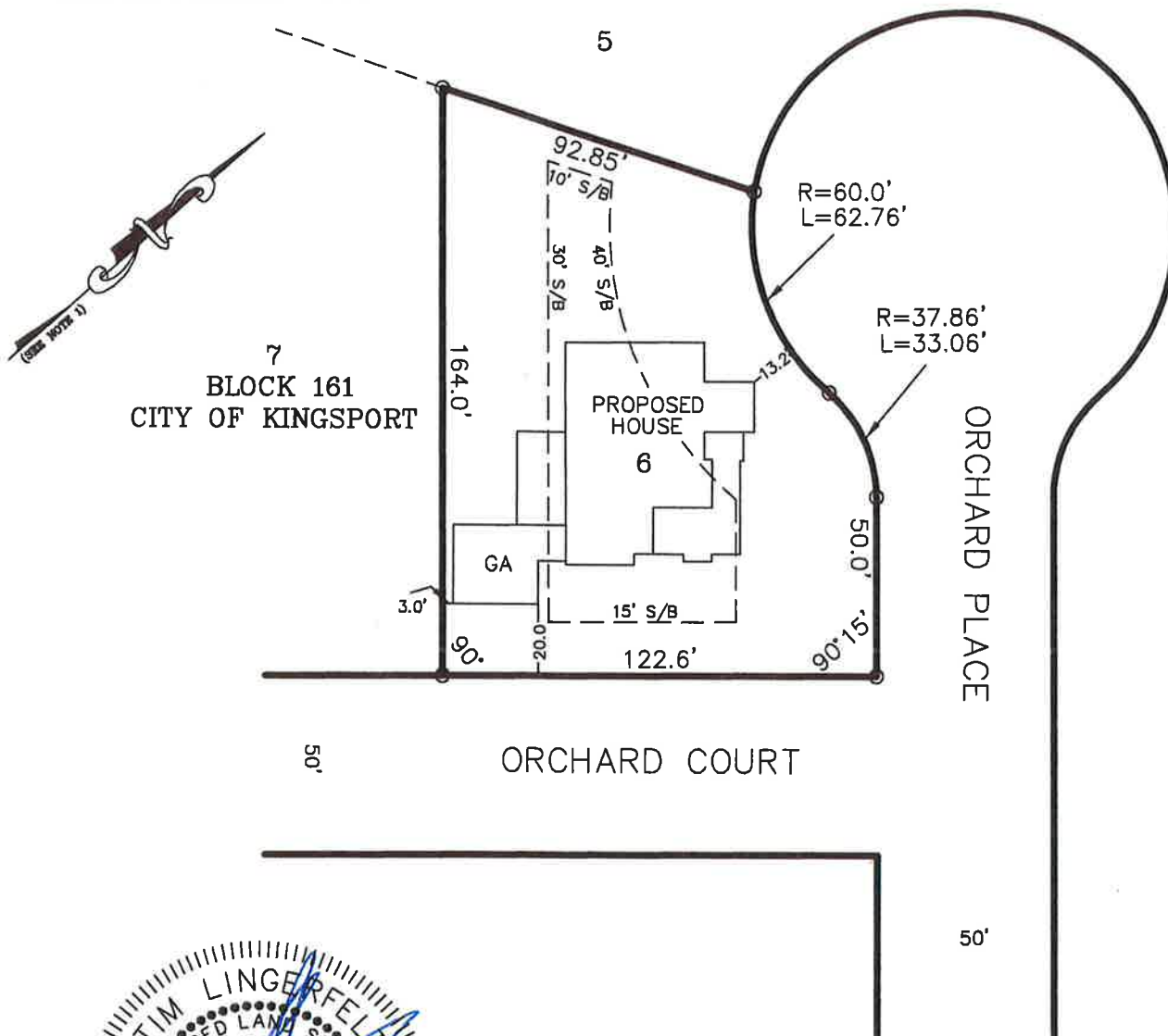
SEE ATTACHED

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.

- A) This lot is atypical from other lots surrounding it as can be seen on the attached plat sketch. Orchard Place Circle reduces the available land on the front resulting in the need for a setback variance. It should be noted that for the majority of the front property, the distance from the house to the property line is much greater than 13.2 feet. While the proposed home is only 2486 sq. feet on the first floor (similar in size to other homes in the neighborhood), the design also requires a variance on the backyard of 3 feet because of the garage. The proposed house will be complimentary and compatible with other homes in the neighborhood.
- B) The neighbors on Orchard Place circle (consisting of four homes) have requested that the proposed house face on Orchard Place, as their homes do. Based on the city of Kingsport's current setback requirements, that leaves very little buildable space on the lot (see attached plat sketch). This would be applicable to any new construction proposed for this lot. Therefore, the applicant would be deprived the reasonable use of their land without getting the requested setback variances.
- C) The unique conditions of this property are not the result of actions taken by the applicant. The unique conditions were caused by the original developers and owners of the land. Facing the house on Orchard Place requires the requested setback variances due to the irregular size and shape of the lot.
- D) Lot #6 is an unimproved lot and the proposed new home will be an enhancement to the street and neighborhood. The construction and design of the home will complement the existing homes and add to the tax base of the city. Discussions with all the adjoining neighbors have indicated their approval with the project having it face Orchard Place.



LEGEND

GA GARAGE
S/B SETBACK
R= RADIUS
L= LENGTH

NOTES:

- 1) NORTH BASED ON REFERENCED PLAT.
- 2) PROPERTY IS ZONED R-1
SETBACKS: FRONT 40'
REAR 30'
SIDE 10'
- 3) SETBACKS TO CONFORM TO CURRENT ZONING DESIGNATION.
THIS IS TO CERTIFY THAT I HAVE CERTIFY THAT I HAVE
CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION
BOUNDARY MAP 47163C0045D EFFECTIVE DATE SEPTEMBER
29, 2008 AND FOUND THAT THE ABOVE PROPERTY IS NOT
LOCATED IN A SPECIAL FLOOD HAZARD AREA.
- 4) THIS IS FOR A ZONING SETBACK VARIANCE AND DOES NOT
REPRESENT A CURRENT BOUNDARY SURVEY.

MAP OF: LOT 6, BLOCK 161, CITY OF KINGSPORT

OWNER: VINCE HICKAM and wife, SALLIE HICKAM

CIVIL DISTRICT: 11TH COUNTY: SULLIVAN

STATE: TENNESSEE TAX MAP 46N "B" PARCEL 22

SCALE: 1 INCH = 50' DATE: OCTOBER 14, 2019

REFERENCE: DEED BOOK 3111, PAGE 234

19-11604

FB/PG: N/A

FOR:

ALLEY & ASSOCIATES, INC.

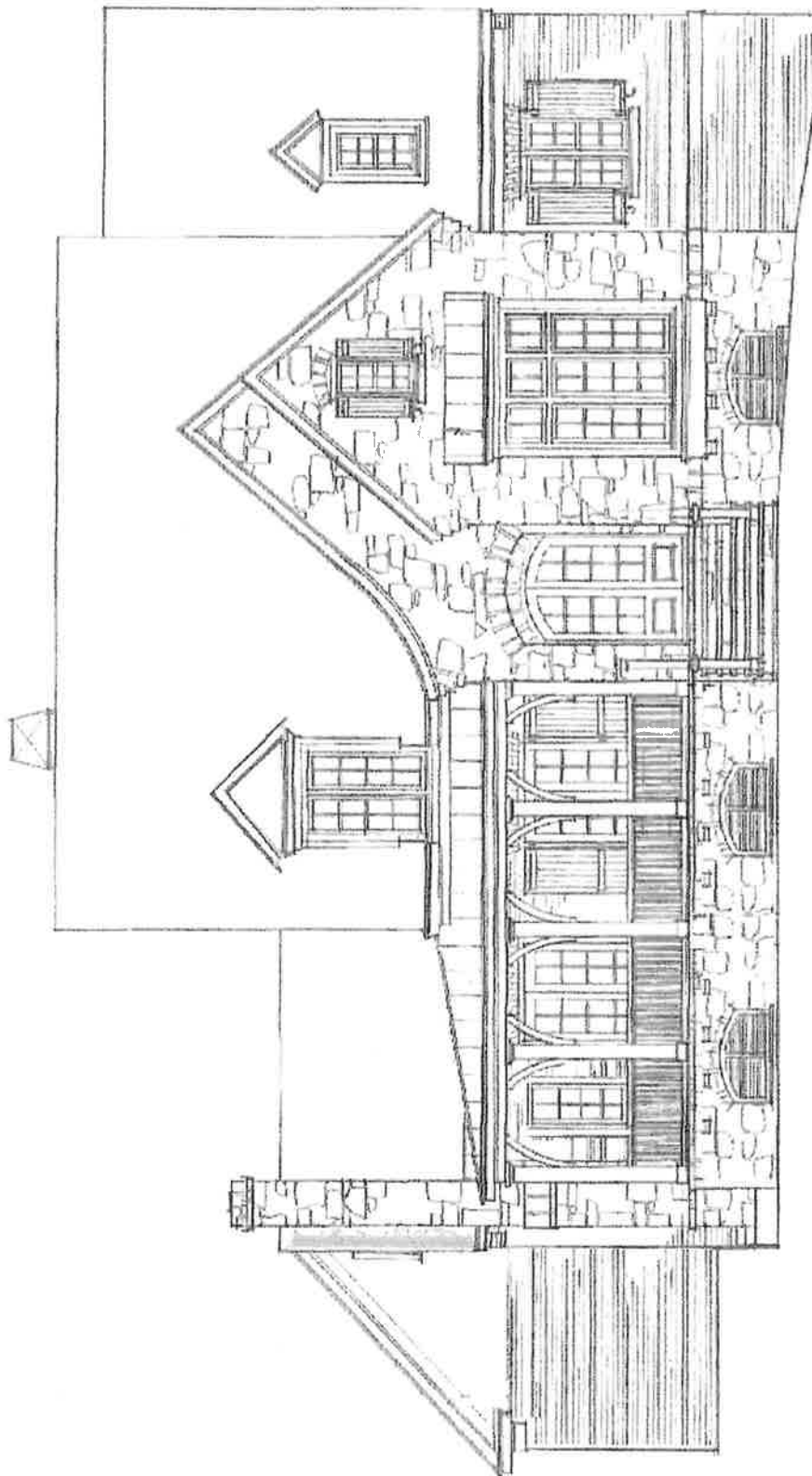
243 E Market Street

Kingsport, Tennessee 37660

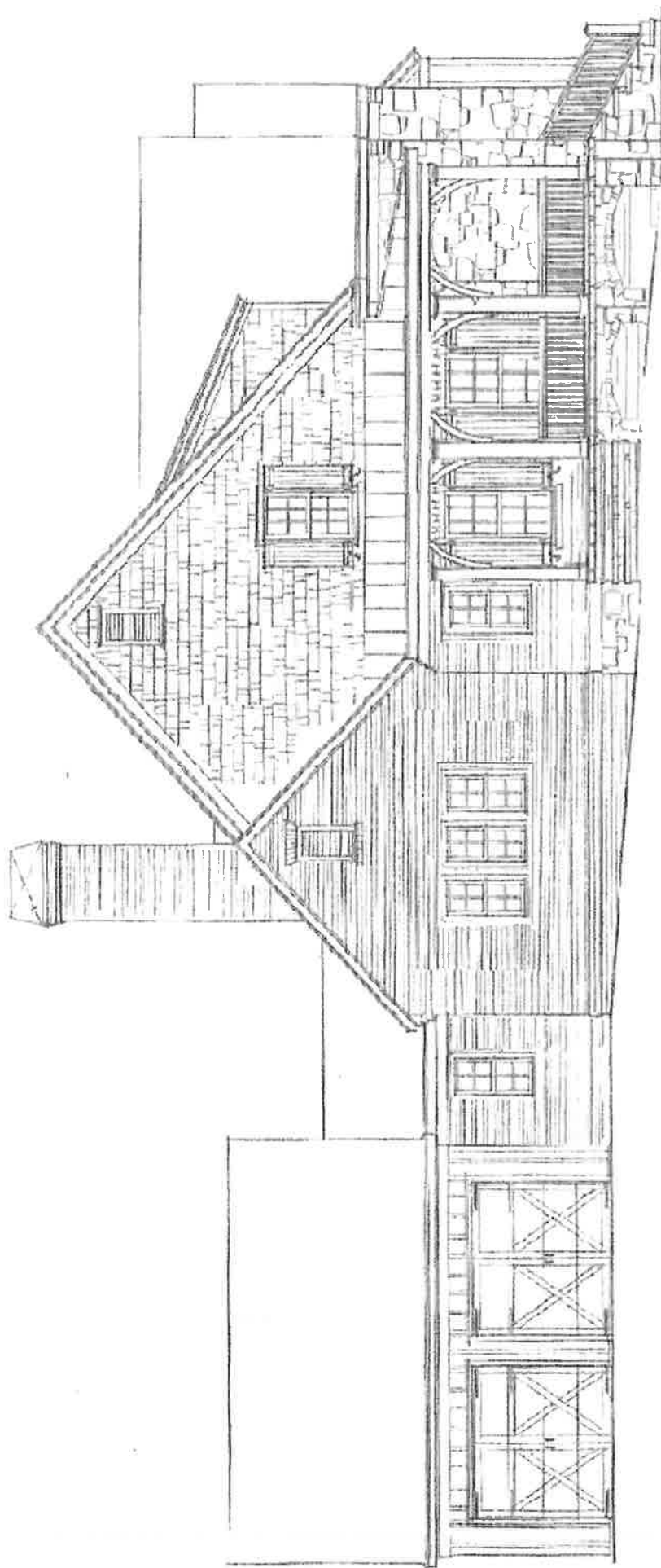
E-mail: tlingerfelt@alleyassociates.com



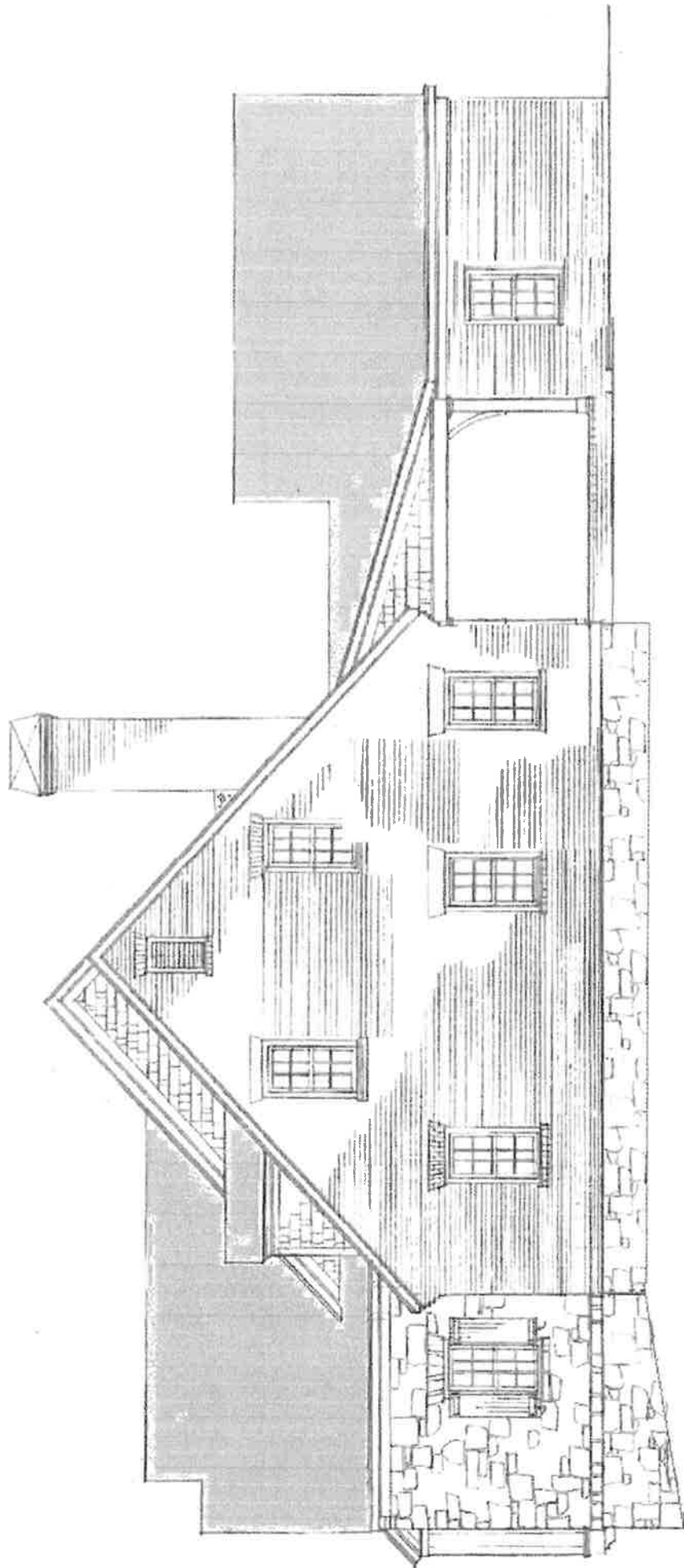
BRICK EXTERIOR / STONE / STUCCO



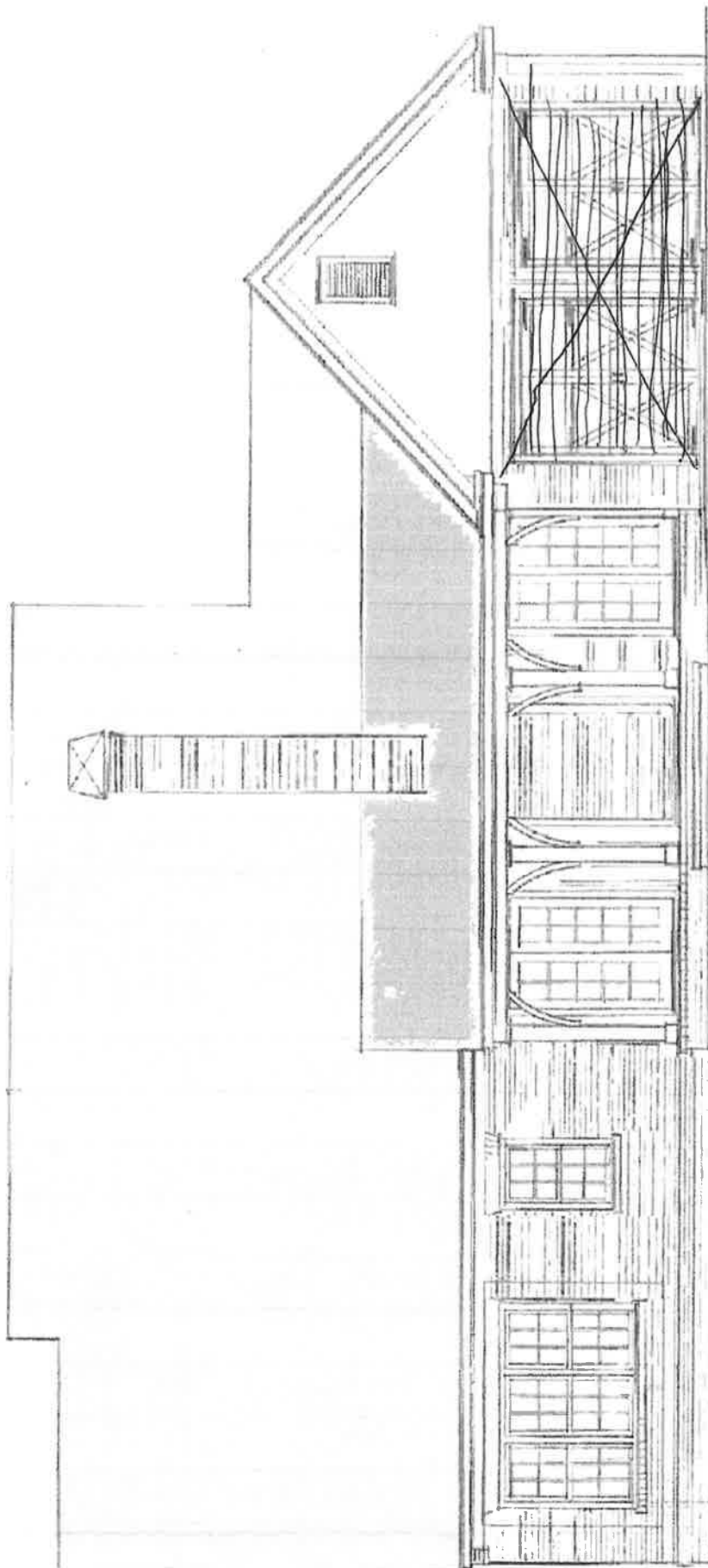
FRONT ELEVATION



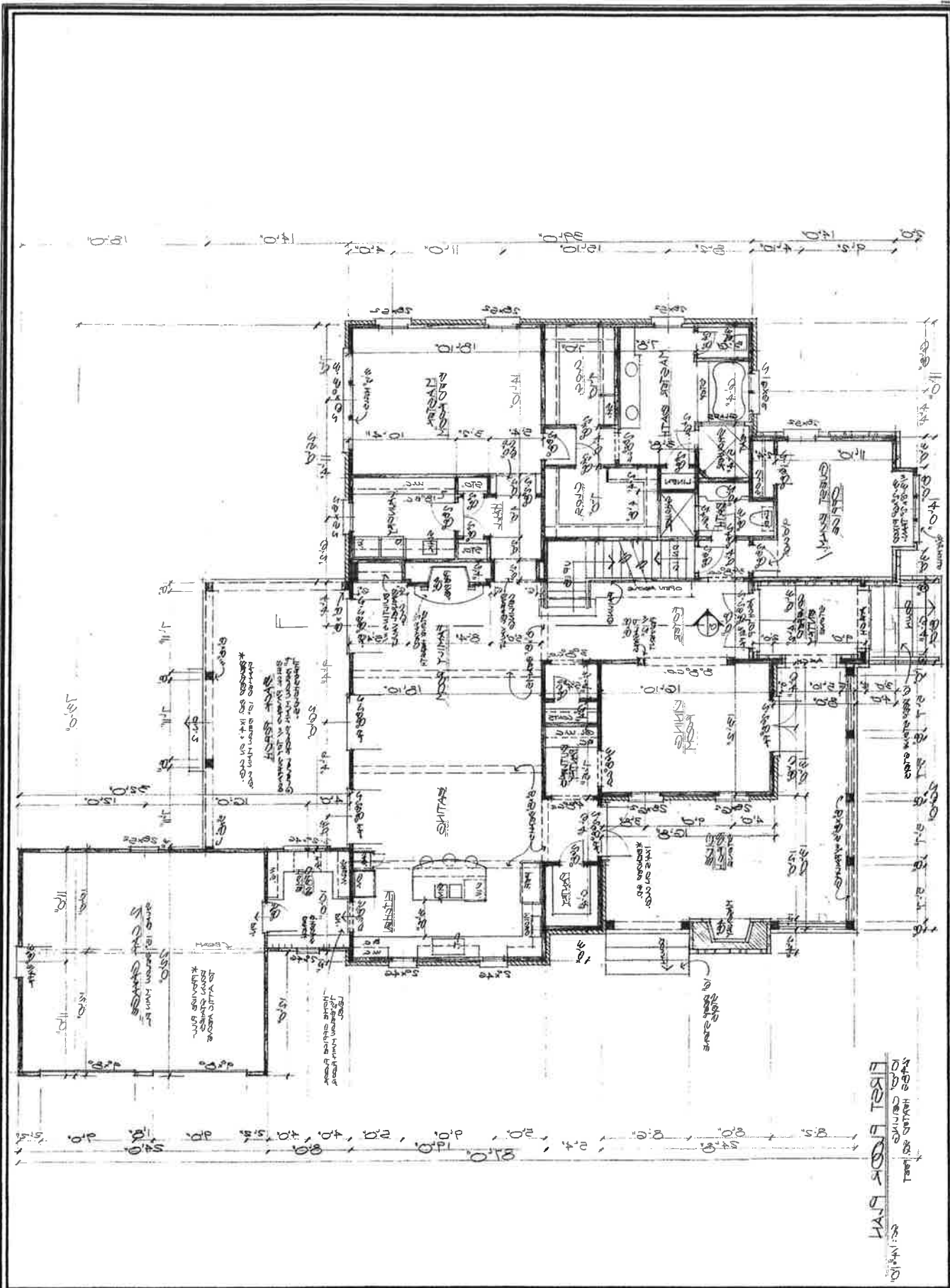
LEFT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

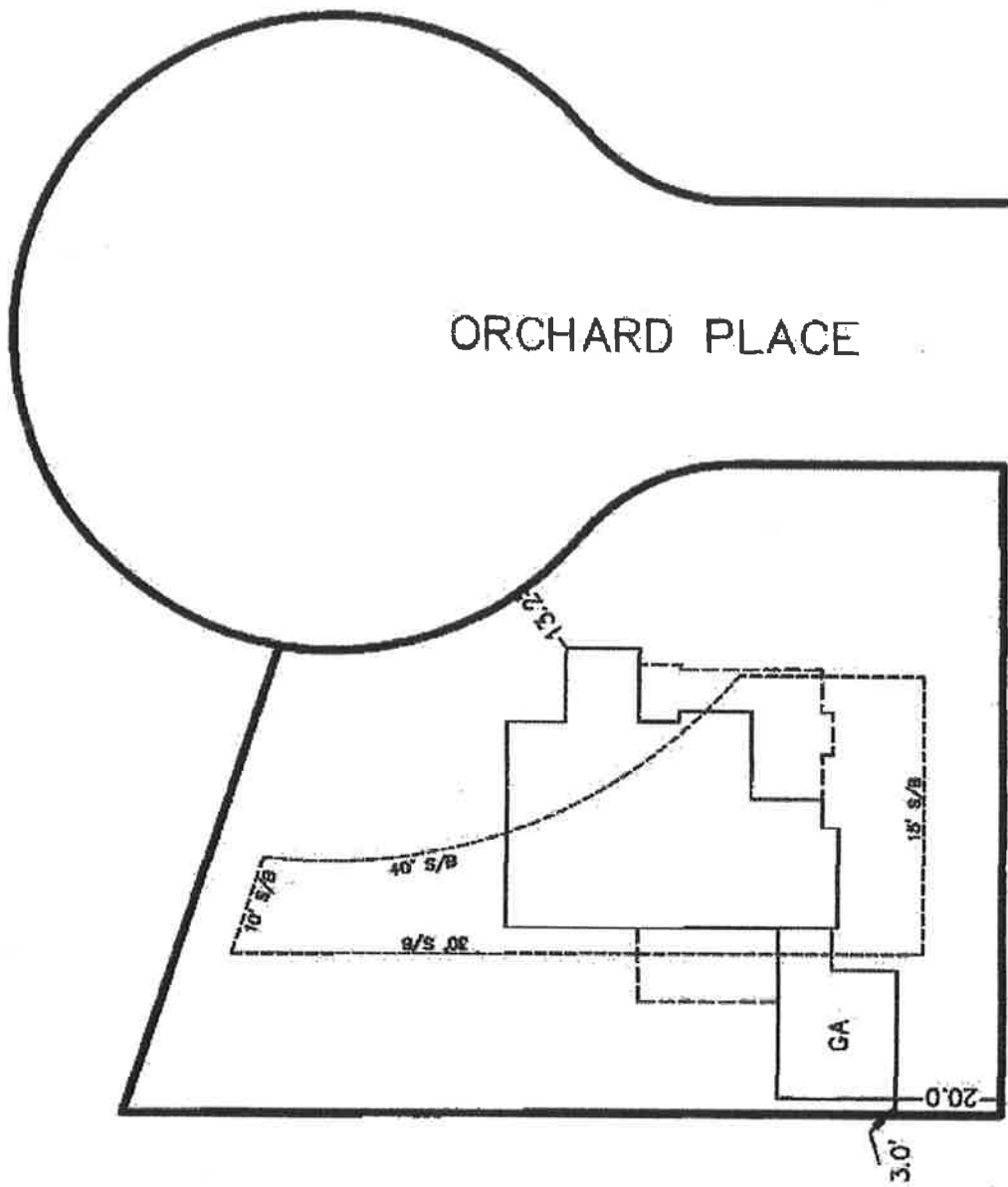


REAR ELEVATION

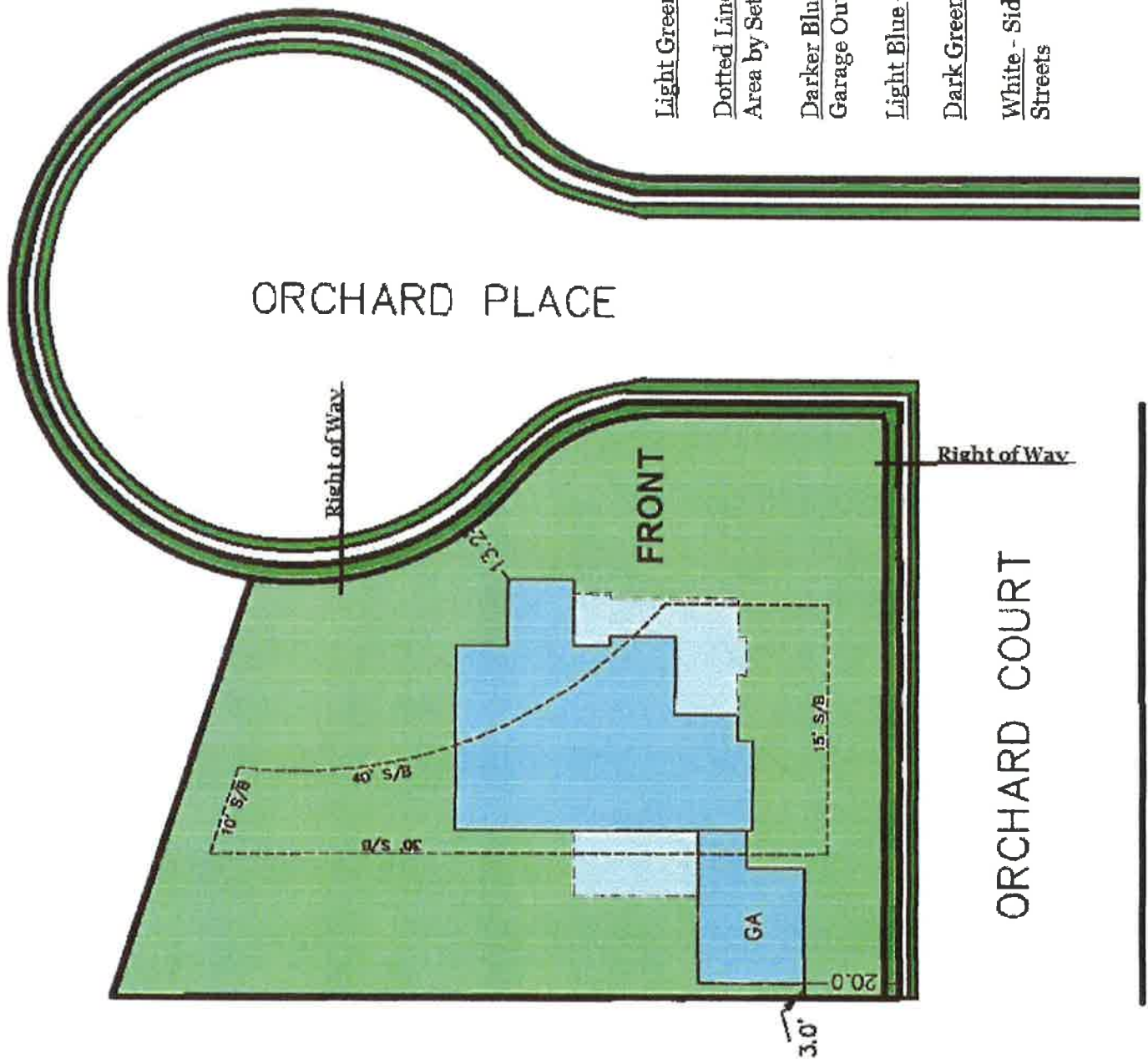


FIRST FLOOR PLAN
 1/2" = 1'-0"
 11/15/00

<p> L. Mitchell Ginn & Assoc. 1881 NORTH HIGHWAY 52 NEWNAN, GEORGIA 30563 PHONE 770-302-1433 WWW.GINNHOWEDESIGN.COM </p>	<p> PROJECT: 11/15/00 1/2" = 1'-0" 11/15/00 </p>
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ORCHARD COURT



ORCHARD PLACE

FRONT

GA

Right of Way

ORCHARD COURT

Light Green - Shivel Lot

Dotted Lines - Buildable Area by Setback Codes

Darker Blue - House and Garage Outline

Light Blue - Porch Areas

Dark Green - Right of Way

White - Sidewalk and Streets



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Zoning Administrator

DATE: October 25, 2019

RE: 716 Chippendale Rd

The Board is asked to consider the following request:

Case: 19-701-00026 – Property located at 716 Chippendale Road, Control Map 60B, Parcel 011.00, requests a 4 foot side yard variance to Sec 114-182(e)1(d)1 for the purpose of attaching a carport to the side of the existing home. The property is zoned R-1A, Residential District.

This applicant desires to add a carport onto the side of his home over the existing driveway. The finished product would be 6' from the side yard property line. Subsequently, a 4' variance is required due to side yard minimums being 10' in an R-1A zoning district.

ArcGIS Web Map



25/2019, 9:00:54 AM

- Kpt 911 Address
- Sullivan County Parcels
- Hawkins County Parcels
- Zoning
- <Null>
- TAC

R-5	B-1	B-4P	MX	PMID-1	R-1B	R-4
GC	B-2	BC	P-1	PMID-2	R-1C	Split
B-2E	B-3	GC	P-D	PUD	R-2	TA
A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
AR	B-4P	M-2	PD	R-1A	R-3B	

1:1,128



ArcGIS Web Map



25/2019, 9:09:49 AM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels

1:1,128



APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name STRICKLER First CARL M.I. L Date 10/14/19
Street Address 716 CHIPPENDALE ROAD Apartment/Unit #
City Kingsport State TN ZIP 37660
Phone 423-247-1766 E-mail Address CSTRICKLER3@CHARTER.NET

PROPERTY INFORMATION:

Tax Map Information Tax map: 060 B Group: D Parcel: 01100 Lot: .
Street Address 716 CHIPPENDALE ROAD Apartment/Unit #
Current Zone Proposed Zone
Current Use Proposed Use

REPRESENTATIVE INFORMATION:

Last Name First M.I. Date
Street Address Apartment/Unit #
City State ZIP
Phone E-mail Address

REQUESTED ACTION:

BUILD GARPORT 32X20 ON END OF HOUSE ON EXISTING DRIVEWAY

DISCLAIMER AND SIGNATURE

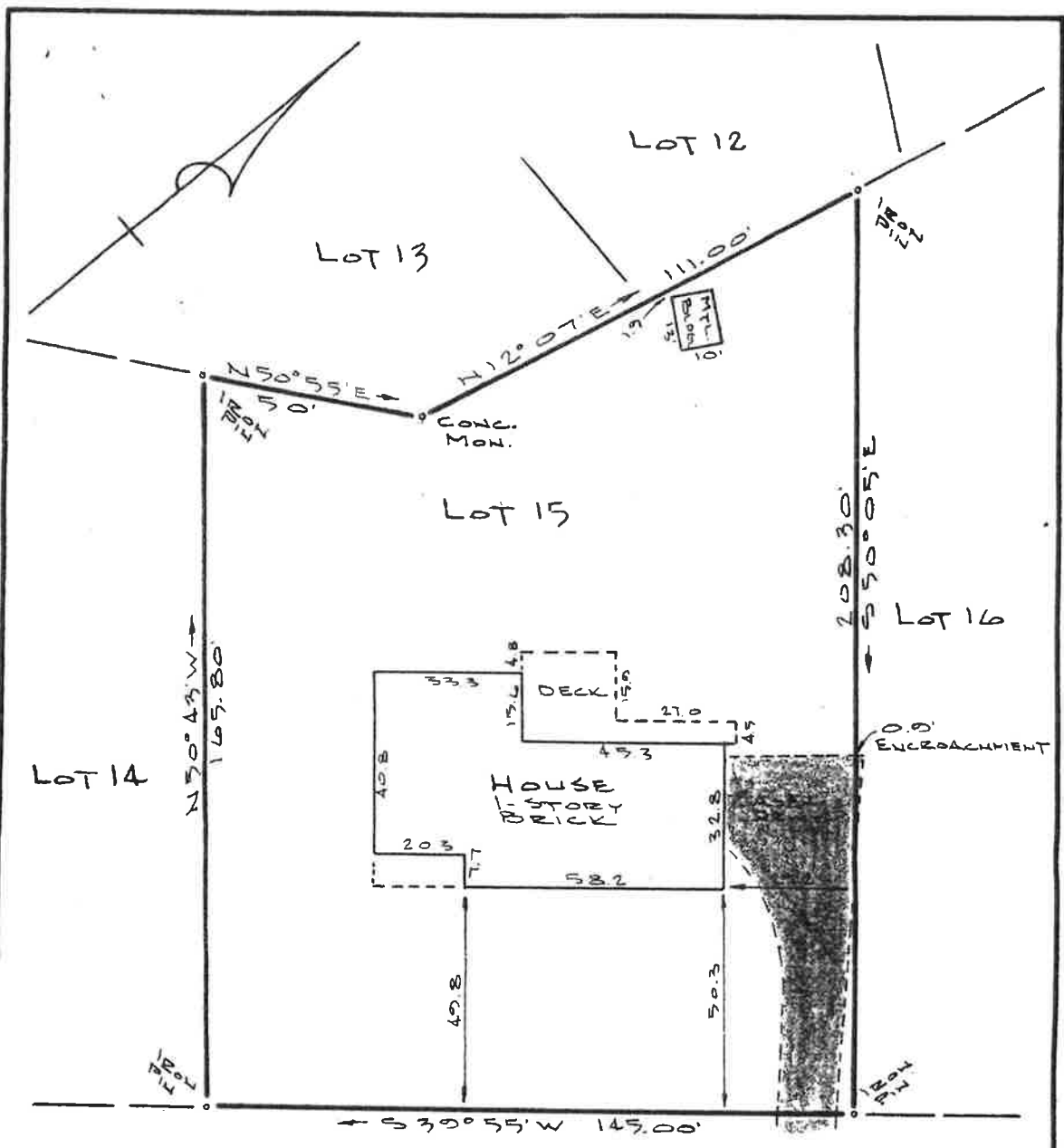
By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: Carl L. Strickler
Signed before me on this 14th day of October, 2019
a notary public for the State of Tennessee
County of Sullivan

Notary Alison Katie Fields
My Commission Expires 5-31-22

Date: 10/14/19





CHIPPENDALE ROAD

RECORD S/D PLAT ERROR OF CLOSURE : 0.52'

THIS IS TO CERTIFY THAT THE PROPERTY
PLATTED HEREON (IS NOT) LOCATED IN
A SPECIAL FLOOD HAZARD AREA

Joseph D. Connelly



Plat Of: **LOT 15, BLOCK 24**
RIDGEFIELDS
12TH CIVIL DISTRICT **SULLIVAN** COUNTY, TENNESSEE

MORTGAGEE: **HERITAGE FEDERAL SAVINGS & LOAN ASSOC.**
MORTGAGOR: **CARL LEE STRICKLER &
JAVIS B. STRICKLER**

CONNELLY LAND SURVEYING
Kingsport, Tennessee

SCALE: 1"=30'

DATE: MAR. 16, 1989

DRAWN BY: JDC

L-3011-106

ASPHALT SHINGLES TO MATCH EXISTING
ON 15# FELT OVER 5/8" PLYWOOD

SIDING TO
MATCH
EXISTING

SIDING TO
MATCH
EXISTING

ROWLOCK CAP

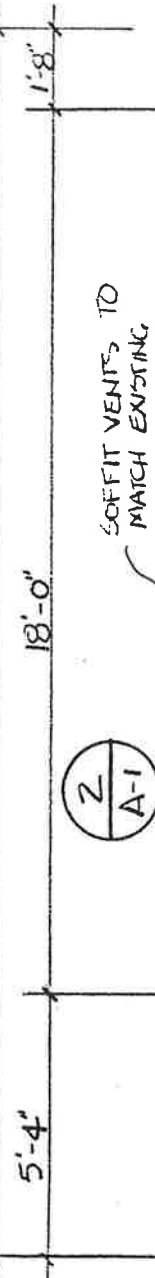
FIELD VERIFY
7'-7 1/2"

FACE BRICK
TO MATCH EXISTING

APPROX. FINISH GRADE

SIDE ELEVATION

SCALE: 1/4" = 1'-0"
25'-0"



SOFFIT VENTS TO
MATCH EXISTING



2' PLUG STRIP

TWO - 2 TUBE
FLUORESCENT LIGHTS

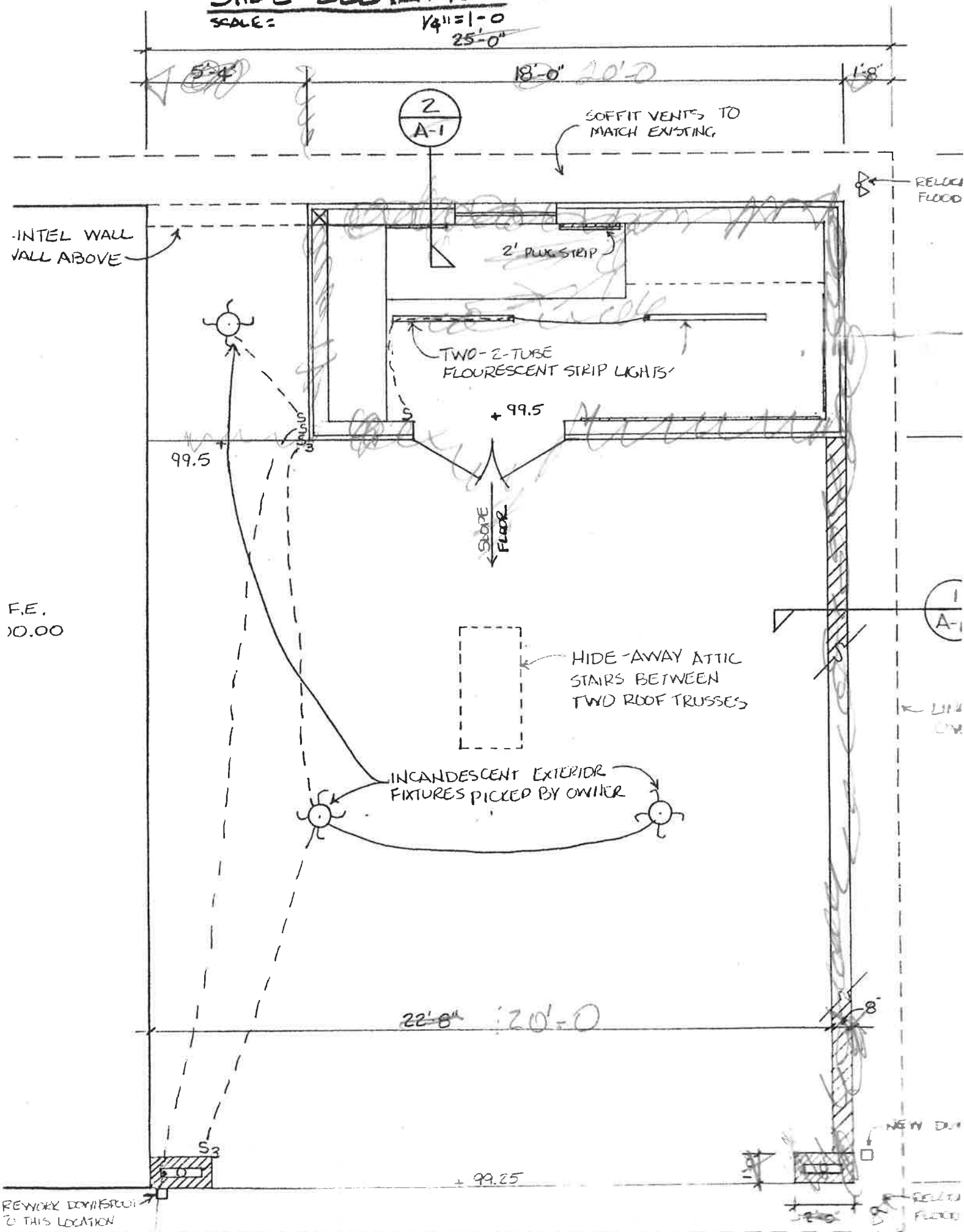
RELOCATED
FLOOD LIGHTS

LINTEL WALL
WALL ABOVE

GUTTER &
DOWNSPOUT
TO MATCH
EXISTING

GUTTER
DOWN
EXISTING

SCALE =

$$V_4 = 1 - 0$$




TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: October 25, 2019

RE: 4009 Rick Slaughter Ct

The Board is asked to consider the following request:

Case: 19-701-00027 – Property located at 4009 Rick Slaughter Court, Control Map 0900, Group F, Parcel 018.00, requests a 10 foot rear yard variance to Sec 114-183(e)1(e) for the purpose of adding a garage onto the rear of the existing home. The property is zoned R-1B, Residential District.

This applicant desires to add an attached garage to the rear of this home.

ArcGIS Web Map



25/2019, 9:12:54 AM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels

Zoning

<Null>

TAUC

R-5

GC

B-2E

A-1

A-2

AR

B-1

B-2

B-3

B-3

B-4

B-4P

B-4P

BC

GC

M-1

M-1R

M-2

MX

P-1

P-D

FBD-3

FBD/P

PD

PMD-1

FMD-2

PUD

PVD

R-1

R-1A

R-1B

R-1C

R-2

R-3

R-3A

R-3B

R-4

Split

TA

TA-C

UAE

0 0.0125 0.025 0.05 mi

0 0.02 0.04 0.08 km

ArcGIS Web Map



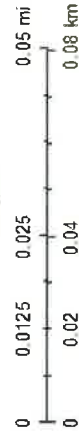
25/2019, 9:11:11 AM

Kpt 9 11 Address

Sullivan County Parcels

Hawkins County Parcels

1:1,128



APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name CLARK First STEPHEN M.I. R Date 10-15-19
Street Address 4009 RICK SLAUGHTER COURT Apartment/Unit #
City KINGSPORT State TN ZIP 37660
Phone 423-737-6038 E-mail Address SCLARK6038@CHARTER.NET

PROPERTY INFORMATION:

Tax Map Information Tax map: 900 Group: F Parcel: 18 Lot:
Street Address 4009 RICK SLAUGHTER CT. Apartment/Unit #
Current Zone R1B Proposed Zone
Current Use SF HOUSE Proposed Use

REPRESENTATIVE INFORMATION:

Last Name SAME AS APPLICANT First
Street Address
City State ZIP
Phone E-mail Address

REQUESTED ACTION:

Construct a garage on rear of property. Request
rear yard setback of ~~14~~ FEET.
10 SRC

DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: [Signature]

Date: 10-15-2019

Signed before me on this 15th day of Oct., 2019
a notary public for the State of Tennessee
County of at Large

Notary Page M. Jeffers
My Commission Expires May 23, 2020



Stephen R. Clark

10/23/19

Variance Application

Variance Worksheet – Finding of Facts

Variances. Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

- Placement of the structure necessitates building on the flattest part of the property. There is significant sloping to the remaining part of the back property restricting use of the land.
- What is unique to our property from our neighbors is that we have the smallest backyard and it slopes the most, limiting use.
 - b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.
- as mentioned in a. (above), this flat part of our backyard is needed to protect and maintain various items we use. Building this structure will maintain the appearance of our home.

c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

- This is not a self-created hardship - meaning at no time did we sell any part of the land. This is the original plot of land surveyed and bought. We are using the flat part of the backyard to place the structure. The remaining yard is too sloped to maintain any function.

d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

- The garage design will blend with the existing home structure. We will be using the same brick, siding, and colors to keep it aesthetically pleasing. (We can change to a shingled roof if the board requires)
- The garage is not close in proximity to neighboring properties.
- There are no other outdoor structures on our property.
- This structure will not block anyone's scenic view.
- This structure is not easily seen from the street due to its location at the lower back of our home.

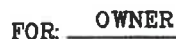
Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

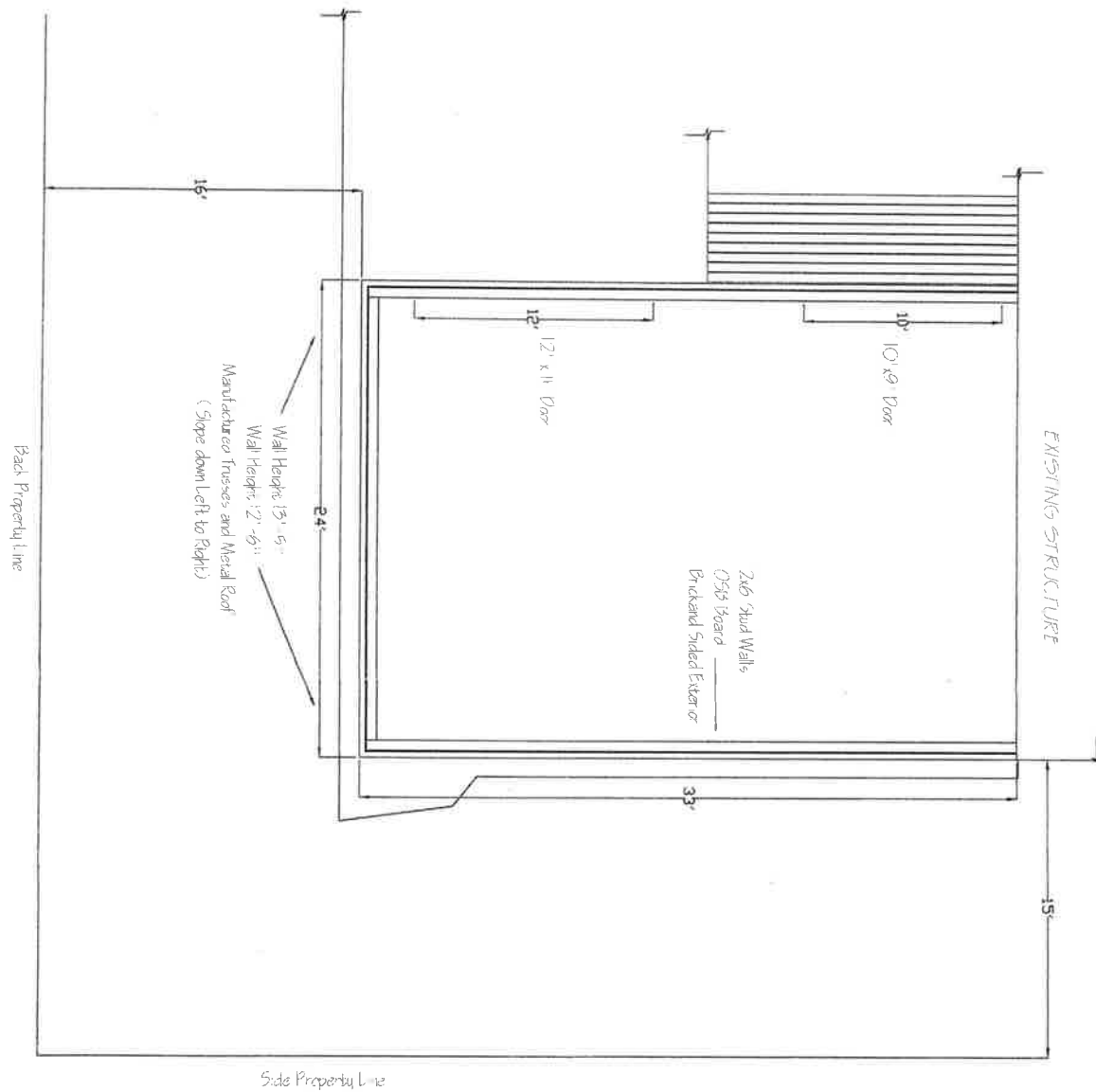
Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.

Materials to be used :

- Blocks
- Bricks
- Siding
- wood inner frame
- roof trusses
- Metal roof (shingles if requested by board)





GARRAGE ADDITION

HOMEOWNER: Steve Clark

ADDRESS: 4009 Rick Slaughter Court, Kingsport, TN, 37660

Drawn: M.W. Cressman

Date: 07/07/9

Print on 1/2" x 11" Paper

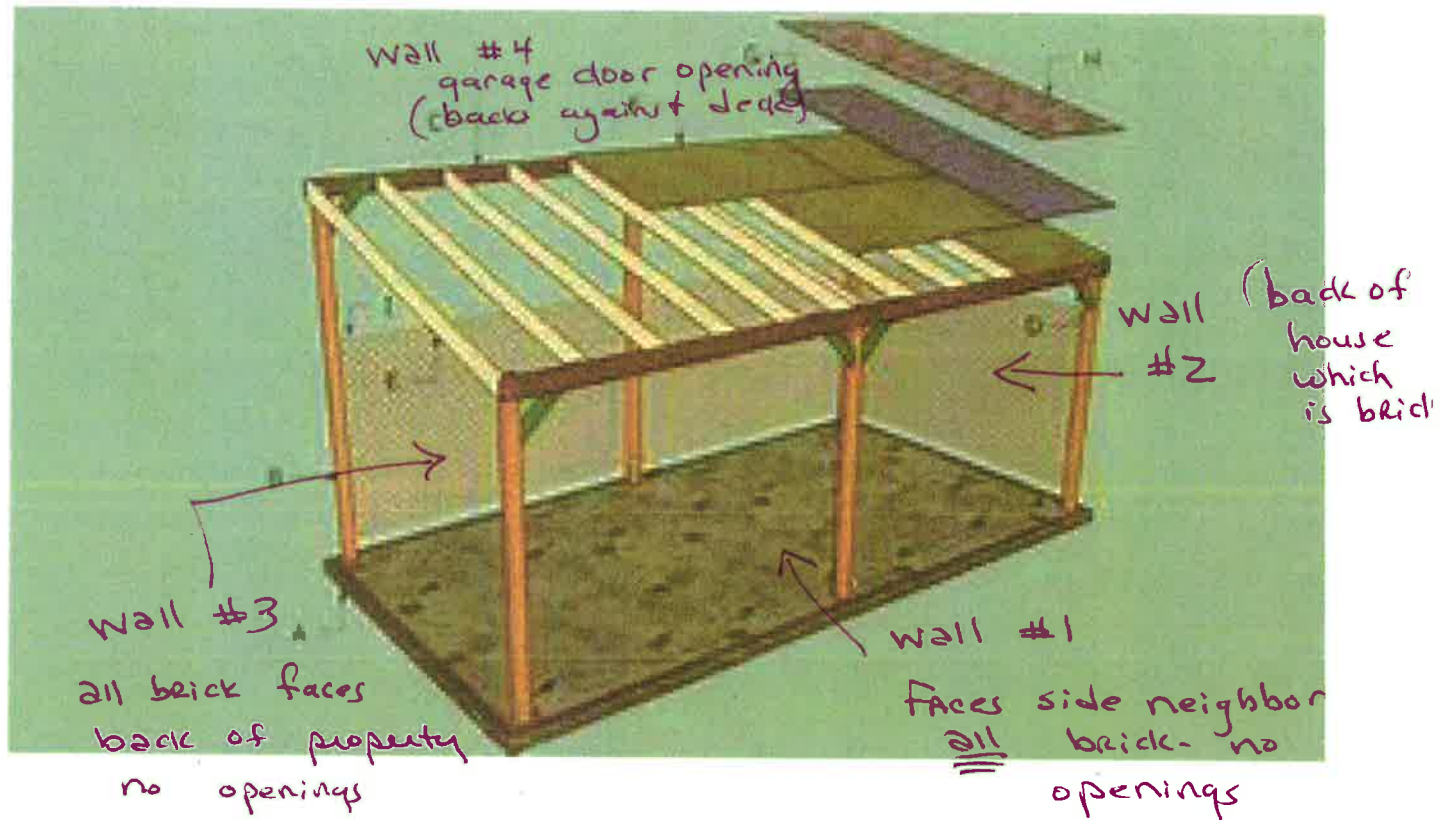


wall #4

wall #3
no windows



Shed Roof Design With Trusses For Garage



brick exterior walls # 1, # 3,
garage doors | brick exterior ~~wall #~~
wall # 4



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: October 25, 2019

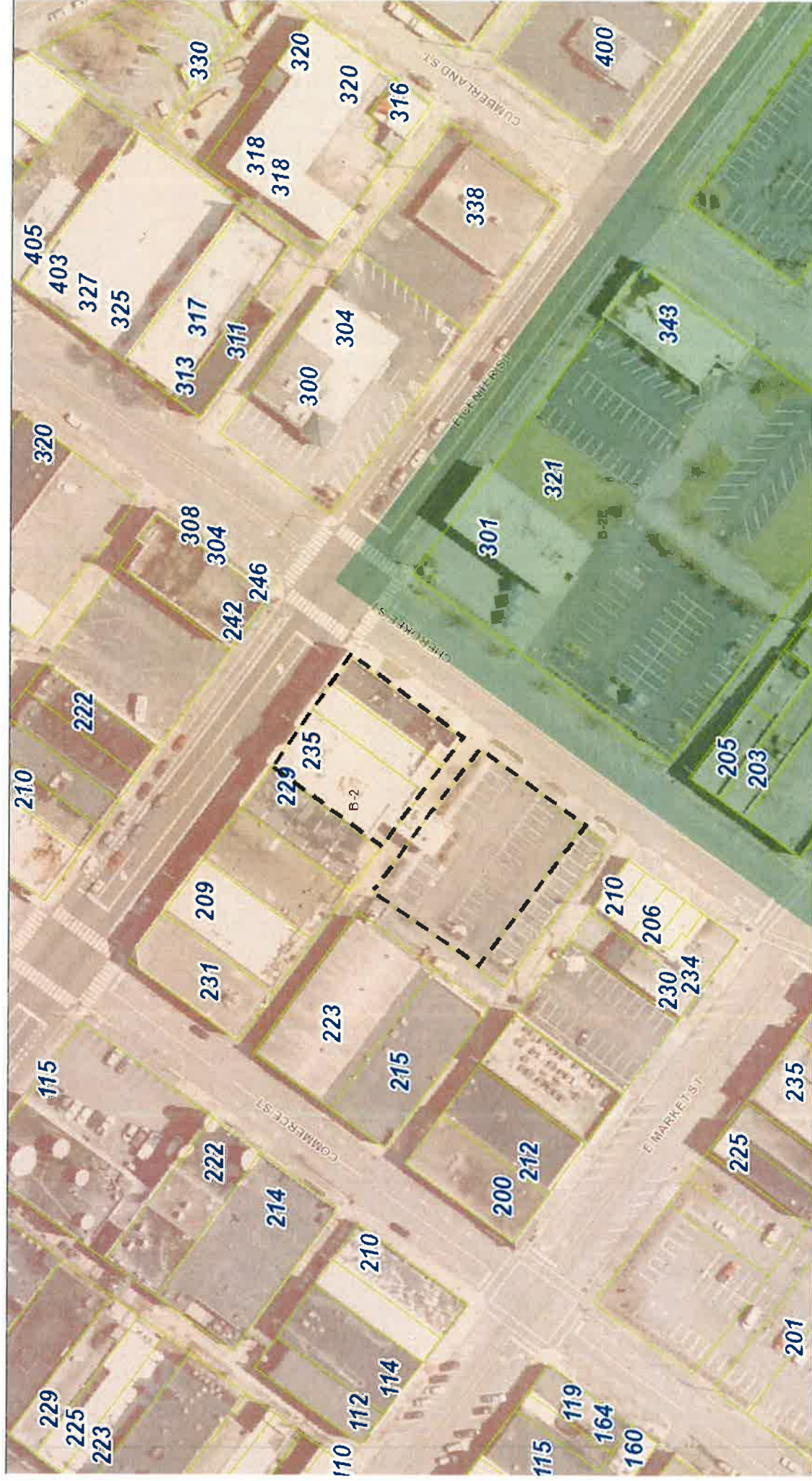
RE: 235 E Center St

The Board is asked to consider the following request:

Case: 19-701-00028 – Property located at 235 East Center Street, Control Map 046P, Group C, Parcels 018.00, 019.00, and 020.00 requests a 129 square foot variance to Sec. 114-194(g)2 and a 1.75 square foot variance to Sec 114-528(1)b for the purpose of providing new wall signage. The property is zoned B-2, Central Business District.

This applicant desires to replace existing wall signage with rebranded wall signage. Due to the size of the building, the maximum wall signage allotment for the structure is 100 sq ft.

ArcGIS Web Map



25/2019, 9:25:20 AM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels

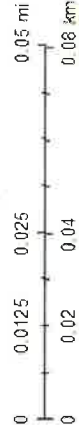
Zoning

<Null>

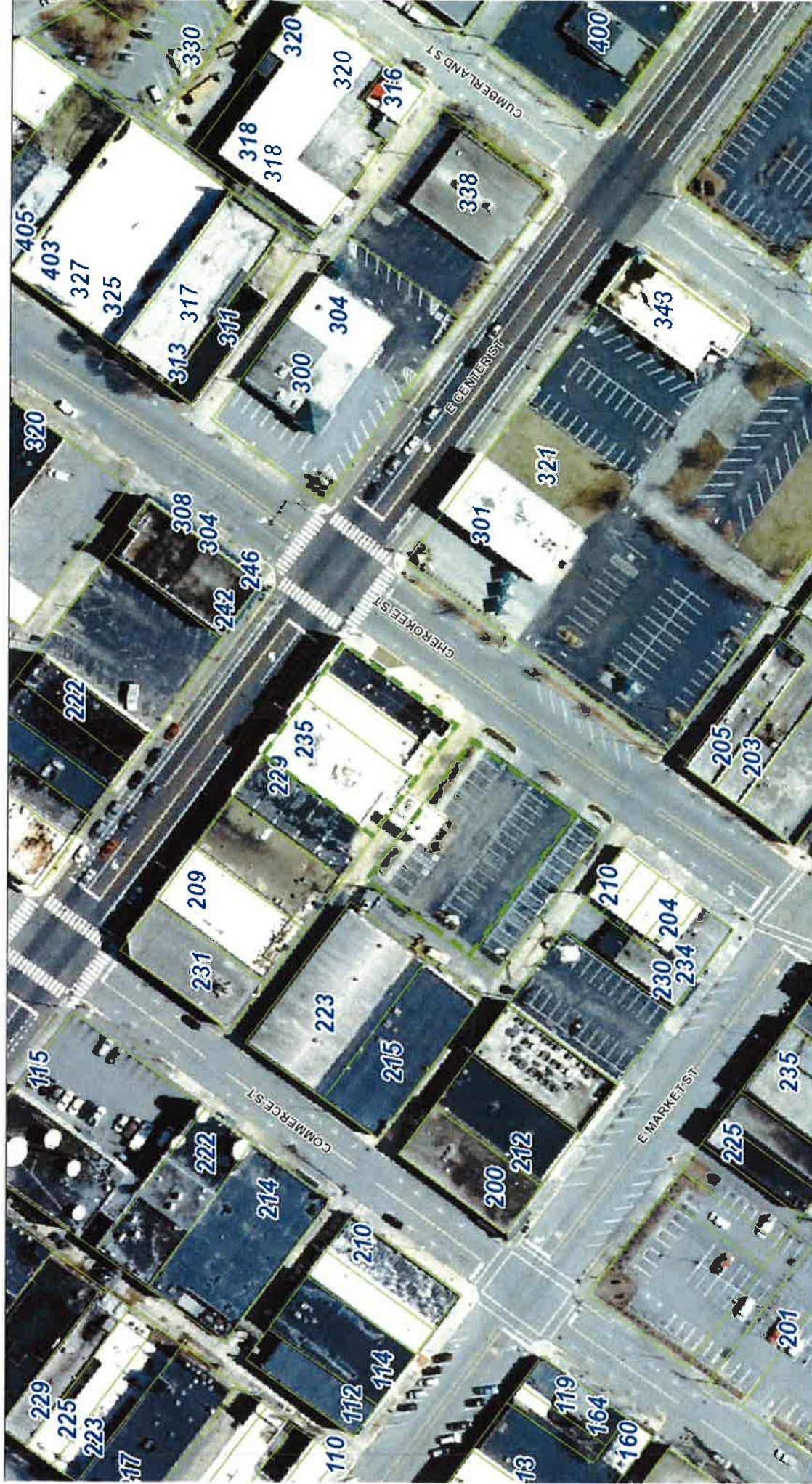
TAC

R-5	B-1	B-4P	MX	PMD-1	R-1B	R-4
GC	B-2	BC	P-1	PMD-2	R-1C	Split
B-2E	B-3	GC	P-D	PUD	R-2	TA
A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
A-2	B-4	M-1R	PBD/*	R-1	R-3A	UAE
AR	B-4P	M-2	PD	R-1A	R-3B	

1:1,128



ArcGIS Web Map



25/2019, 9:27:03 AM

Kot 911 Address

Sullivan County Parcels

Hawkins County Parcels

1:1,128



APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name	Snyder Signs	First		M.I.		Date	10/22/19
Street Address	2918 Creekmore Drive			Apartment/Unit #			
City	Johnson City	State	TN	ZIP	37601		
Phone	423-282-6221	E-mail Address	charity@snydersigns.com				

PROPERTY INFORMATION:

<i>Tax Map Information</i>	Tax map:	Group:	Parcel:	Lot:	
Street Address	235 E. Center Street			Apartment/Unit #	
Current Zone	B2		Proposed Zone		
Current Use	Proposed Use				

REPRESENTATIVE INFORMATION:

Last Name	Sparks	First	Charity	M.I.	R	Date	10/22/19
Street Address	2918 Creekmore Drive			Apartment/Unit #			
City	Johnson City	State	TN	ZIP	37601		
Phone	E-mail Address						

REQUESTED ACTION:

First Horizon branding change (from First Tennessee), requiring changeouts for all current signage to new logos. Includes one (1) directional 3.75 sq. ft.; two (2) non illuminated lettersets 24.13 sq. ft. each; one (1) non-illuminated letterset 47.04 sq. ft.; one (1) illuminated logo cabinet 36 sq. ft. Two (2) illuminated logo cabinets 49 sq. ft. each. No new/additional signage to be installed. Seeking a variance to switch out a total of 232.75 sq. ft. of signage.

DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature:

Charity Sparks

Date: 10/22/19

Signed before me on this 22nd day of October, 2019,

a notary public for the State of Tennessee

County of Washington

Notary Debbie Scott

My Commission Expires 2-29-20



Letter of Authorization

10/23/19

RE:235 East Center Street, Kingsport, TN

To Whom It May Concern,

As owners/representatives of the above referenced property, I grant permission for Allen Industries and its authorized agents to secure necessary permits, sign applications and install signage at the above location in the city/county that this property is located on behalf of TIB Bank.

Sincerely,

Marion L. McClendon, Manager of Design, Construction, and Physical Security

Marion L. McClendon

(Owner's signature)

(901)523-4131

State of

County of

Tennessee
Shelby

Sworn to and subscribed freely and voluntarily for the purpose therein expressed before me by Marion L. McClendon, known to me to be person described in and who executed the foregoing. He/She is personally known to me or has produced _____ (type of identification) as identification.

Witness my hand and official seal in the county and state last aforesaid this 23rd day of October, 2019.

Cheryl Bell

Notary Public signature

Print name:

Cheryl Bell

My commission expires:

May 10, 2020



Variance Worksheet – Finding of Facts

Variances. Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

Corner lot, with no area for any monument/freestanding sign.

b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.

Building is a multi-story building with existing signage. We are only asking to replace the signage currently installed.

- **Two (2) non-illuminated First Tennessee lettersets will be replaced with two (2) non-illuminated First Horizon lettersets (less sq. footage.) on the south and west elevations. (E01/E02)**
- **One (1) illuminated First Tennessee logo cabinet will be replaced by one (1) illuminated First Horizon logo cabinet (same sq. footage) on the southwest corner of the building. (E03)**
- **One (1) non-illuminated First Tennessee letterset will be replaced by one (1) First Horizon letterset on the north elevation. (E04)**
- **Two (2) illuminated First Tennessee wall logos will be replaced with two (2) illuminated First Horizon logos (same sq. footage) on the north and east elevations (E12, E13)**
- **One (1) small 3.75 sq. ft. directional will direct customers to the ATM.**

c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

N/A

d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

First Horizon is not asking for additional signage, only to replace the minimal signage they have in place at this time, in order to update their new name/branding. Colors are minimal, red/white/blue. Sizes are relatively small for a building of this size, not in excess of 50 sq. ft. per sign.

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.

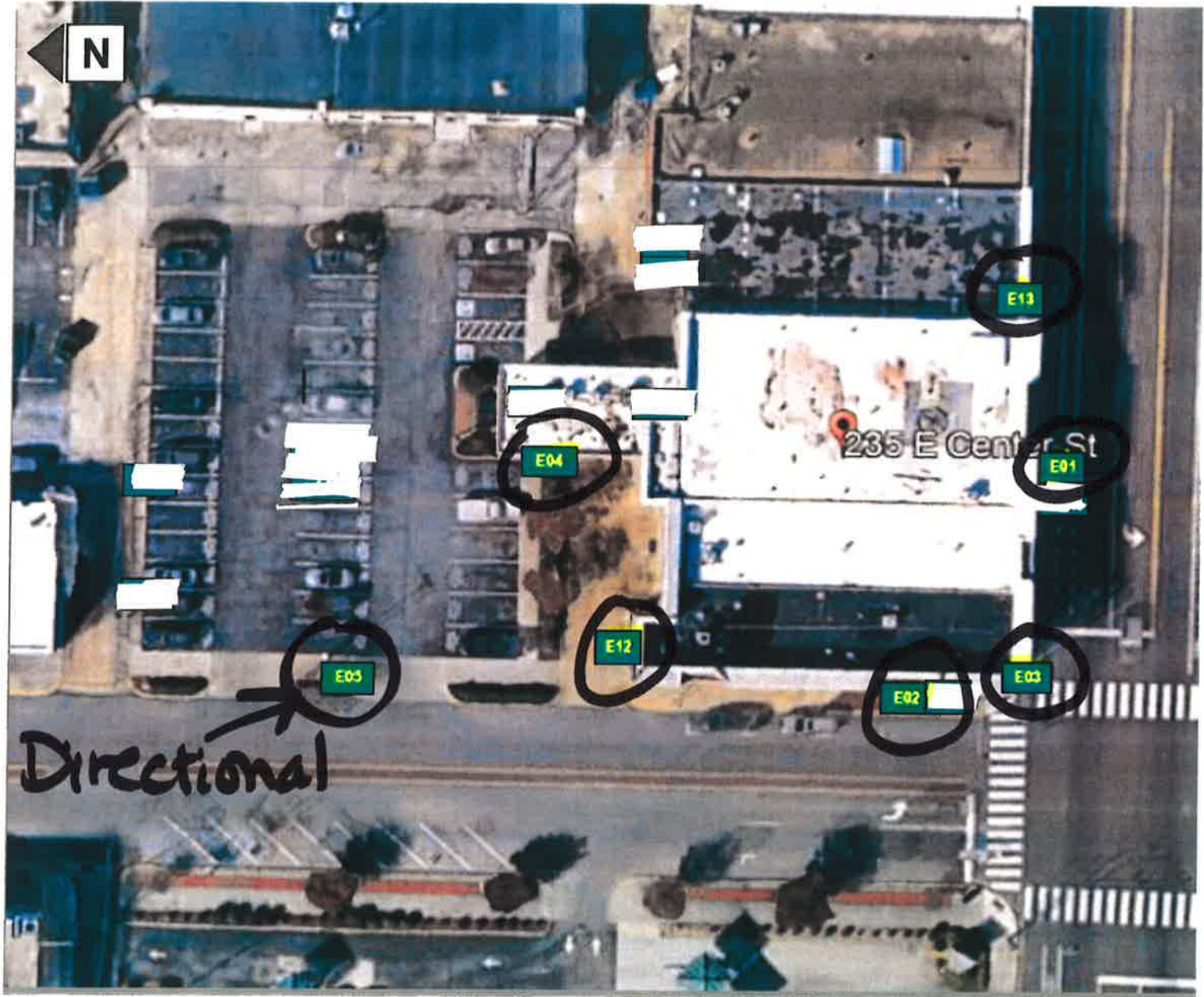


FIRST HORIZON

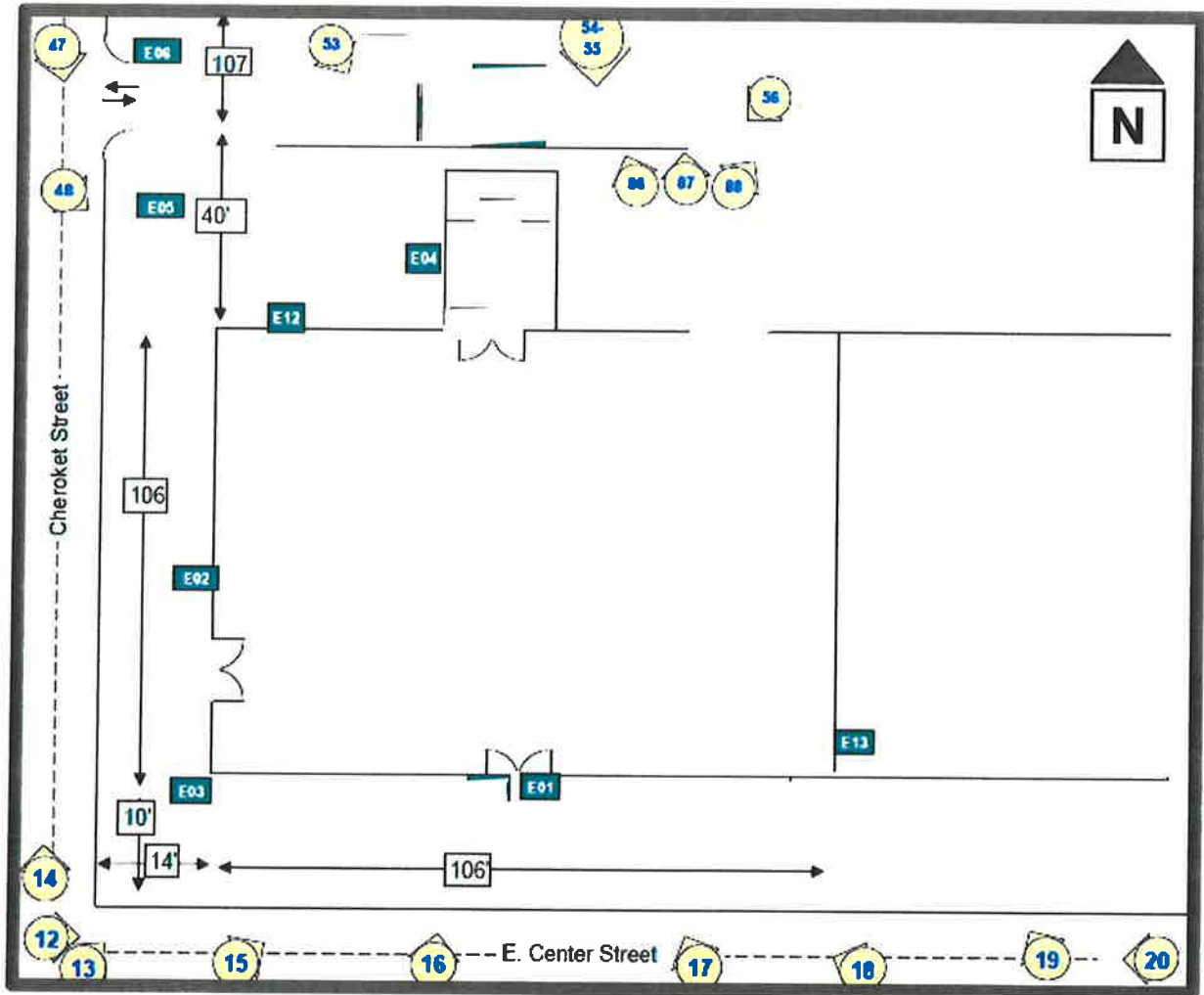
SITE: #68 KINGSPORT MAIN OFFICE
235 EAST CENTER STREET • KINGSPORT, TN



2019 REIMAGING PROPOSAL BOOK



SITE PLAN

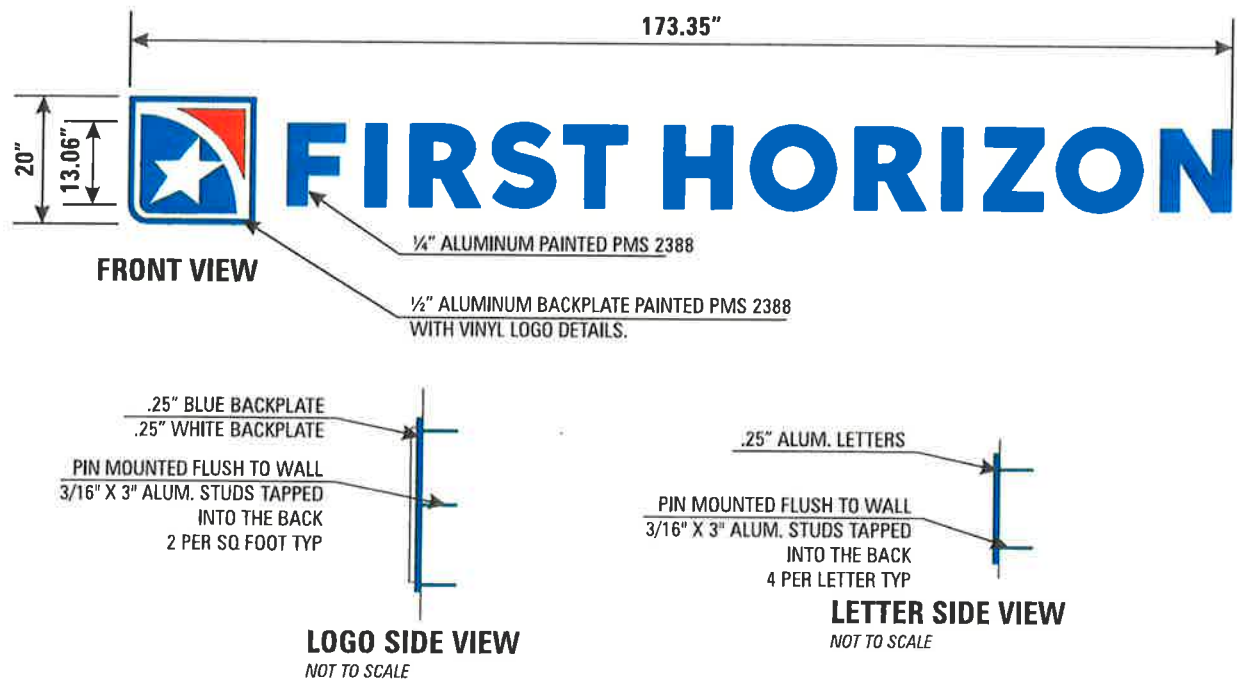




EXISTING SIGNAGE



PROPOSED SIGNAGE



SQUARE FOOTAGE = 9.43'

PMHB-20 (QTY-1)

MANUFACTURE NEW NON-ILLUMINATED ALUMINUM LOGO AND LETTERS TO REPLACE EXISTING SIGNAGE.

ALL PAINT FINISHES TO BE SATIN FINISH.



WHITE



3M TRANS. SAPPHIRE
VINYL 3630-37



3M TRANS. LIGHT
TOMATO RED
VINYL 3630-43



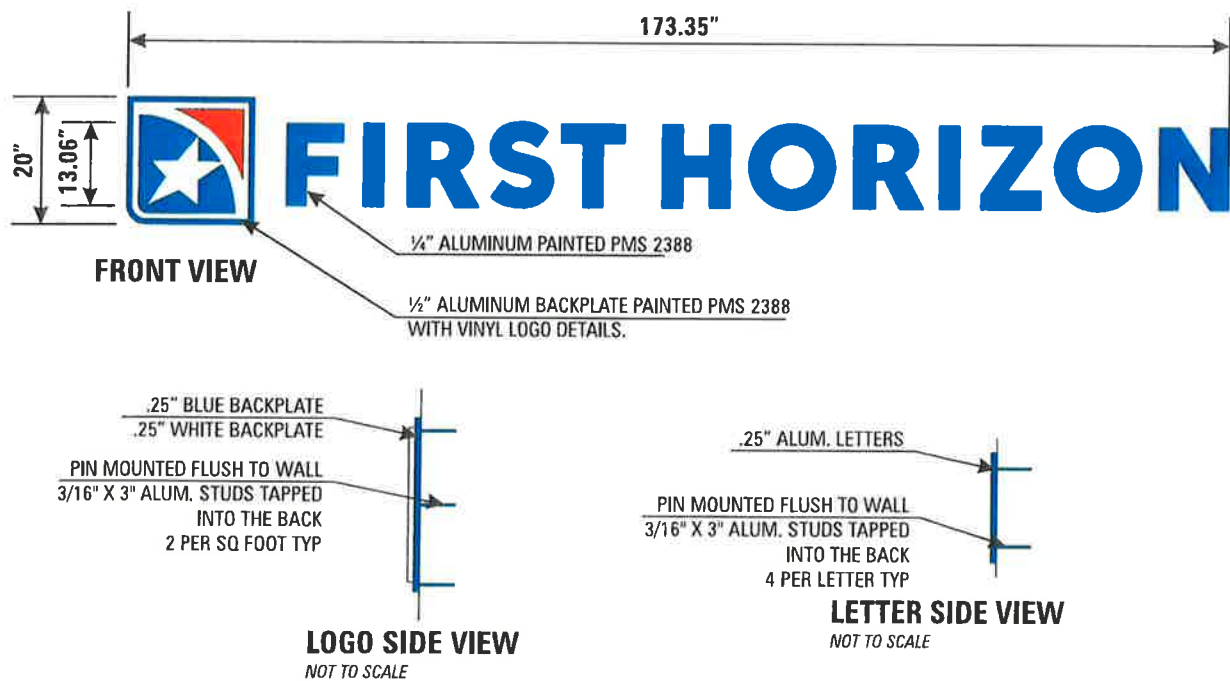
PANTONE
2388



EXISTING SIGNAGE



PROPOSED SIGNAGE



SQUARE FOOTAGE = 9.43'

PMHB-20 (QTY-1)

MANUFACTURE NEW NON-ILLUMINATED ALUMINUM LOGO AND LETTERS TO REPLACE EXISTING SIGNAGE.

ALL PAINT FINISHES TO BE SATIN FINISH.

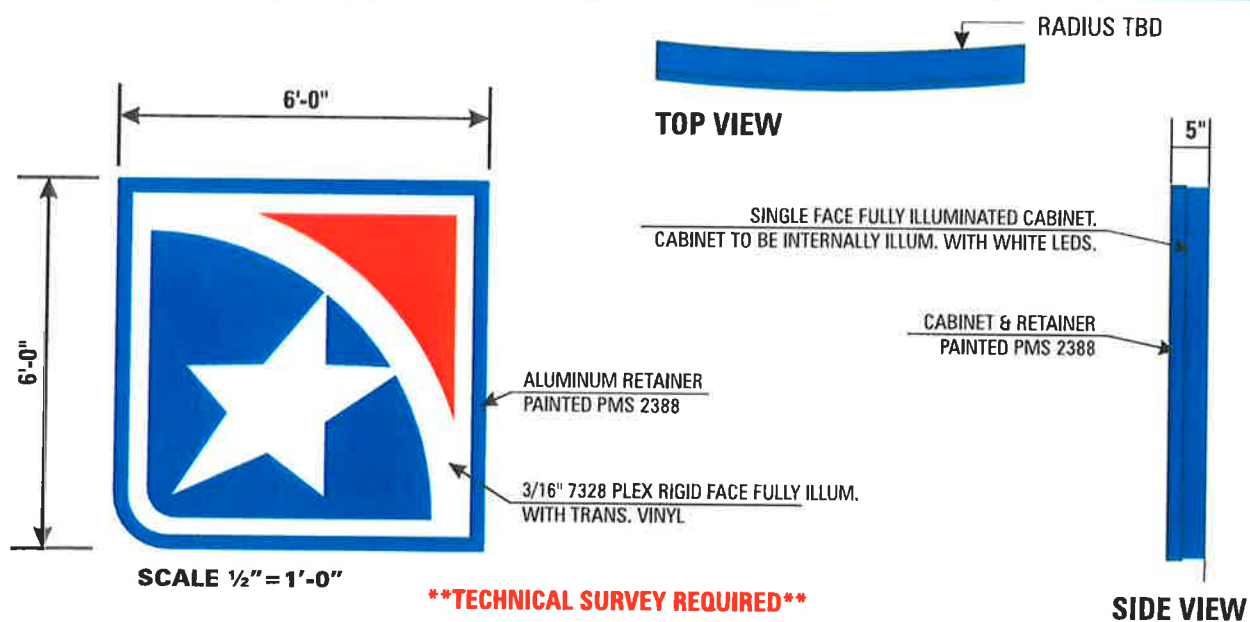
WHITE	3M TRANS. SAPPHIRE VINYL 3630-37	3M TRANS. LIGHT TOMATO RED VINYL 3630-43	PANTONE 2388



EXISTING SIGNAGE



PROPOSED SIGNAGE



SQUARE FOOTAGE = 36.00'

CUSTOM BX - 72 (QTY-1)

MANUFACTURE CUSTOM SINGLE FACE INTERNALLY ILLUMINATED LOGO CABINET.
CABINET TO CONSIST OF FABRICATED ALUMINUM, ALUMINUM RETAINER AND ACRYLIC FACE WITH TRANS. VINYL.
CABINET & RETAINER TO BE PAINTED PMS 2388.
CABINET TO BE INTERNALLY ILLUMINATED WITH WHITE LEDS.

ALL PAINT FINISHES TO BE SATIN FINISH.



WHITE ACRYLIC



3M TRANS. SAPPHIRE
VINYL 3630-37



3M TRANS. LIGHT
TOMATO RED
VINYL 3630-43



PANTONE
2388



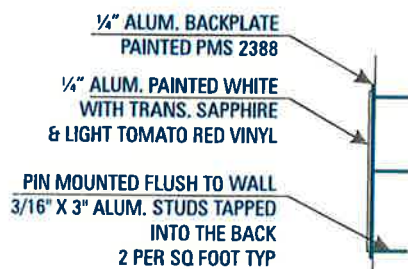
EXISTING SIGNAGE



PROPOSED SIGNAGE



FRONT VIEW



LOGO SIDE VIEW

NOT TO SCALE



LETTER SIDE VIEW

NOT TO SCALE

SQUARE FOOTAGE = 121.43'

PMS1B-42 (QTY-1)

MANUFACTURE NEW NON-ILLUMINATED ALUMINUM LOGO AND LETTERS TO REPLACE EXISTING SIGNAGE.

ALL PAINT FINISHES TO BE SATIN FINISH.



WHITE



3M TRANS. SAPPHIRE
VINYL 3630-37



3M TRANS. LIGHT
TOMATO RED
VINYL 3630-43



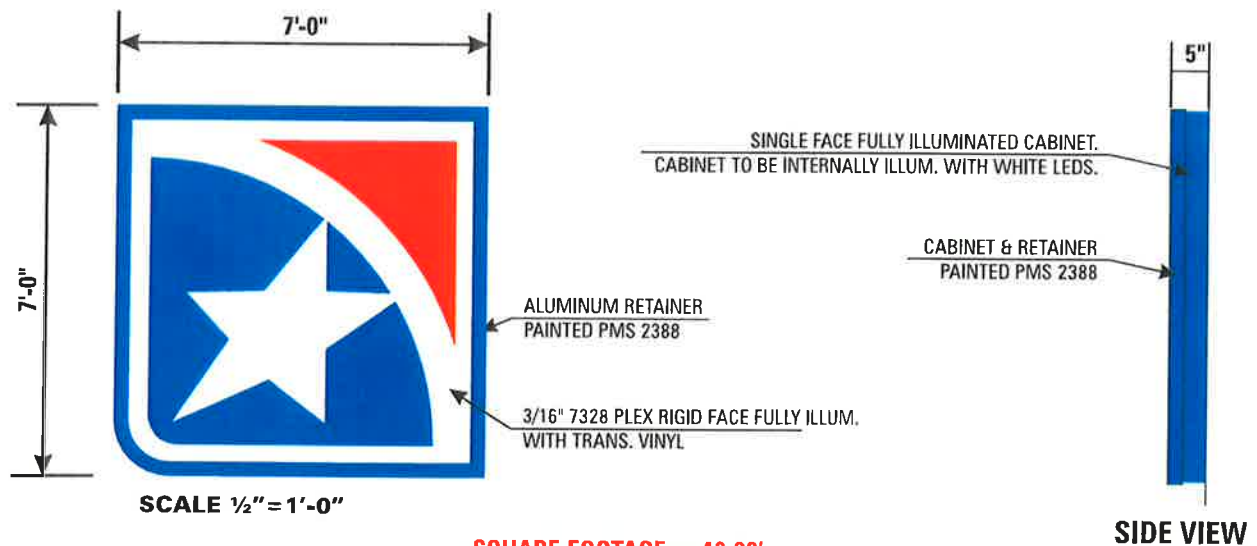
PANTONE
2388



EXISTING SIGNAGE



PROPOSED SIGNAGE



BX - 84 (QTY-1)

MANUFACTURE SINGLE FACE INTERNALLY ILLUMINATED LOGO CABINET THAT WILL BE MOUNTED TO BRICK WALL.
CABINET TO CONSIST OF FABRICATED ALUMINUM, ALUMINUM RETAINER AND ACRYLIC FACE WITH TRANS. VINYL.

CABINET & RETAINER TO BE PAINTED PMS 2388.

CABINET TO BE INTERNALLY ILLUMINATED WITH WHITE LEDS.

ALL PAINT FINISHES TO BE SATIN FINISH.



WHITE ACRYLIC

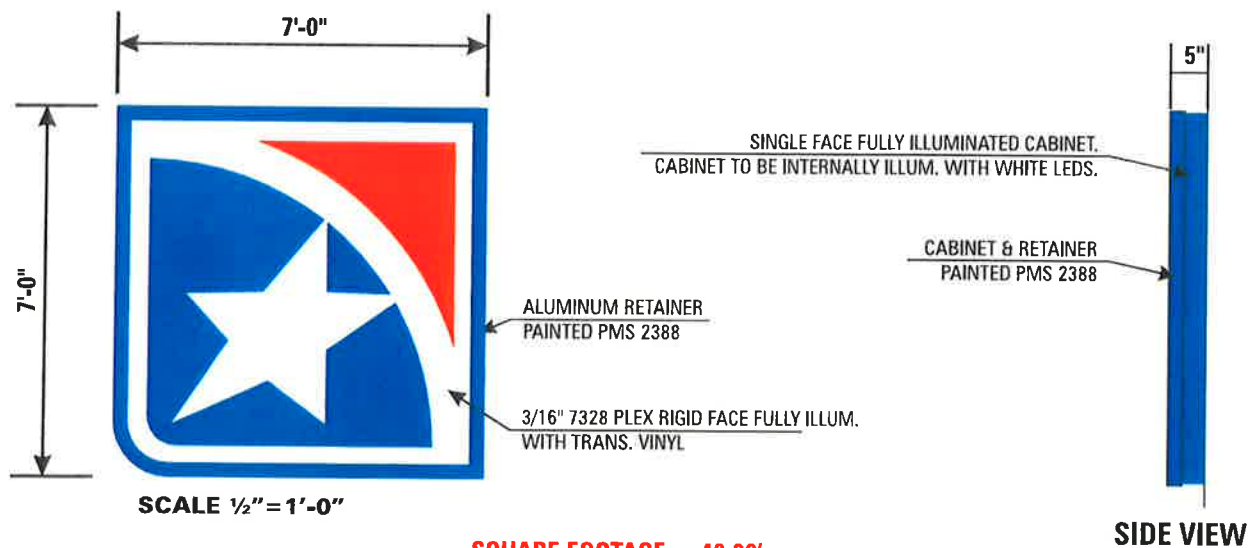
3M TRANS. SAPPHIRE
VINYL 3630-373M TRANS. LIGHT
TOMATO RED
VINYL 3630-43PANTONE
2388



EXISTING SIGNAGE



PROPOSED SIGNAGE



BX - 84 (QTY-1)

MANUFACTURE SINGLE FACE INTERNALLY ILLUMINATED LOGO CABINET THAT WILL BE MOUNTED TO BRICK WALL.
CABINET TO CONSIST OF FABRICATED ALUMINUM, ALUMINUM RETAINER AND ACRYLIC FACE WITH TRANS. VINYL.

CABINET & RETAINER TO BE PAINTED PMS 2388.

CABINET TO BE INTERNALLY ILLUMINATED WITH WHITE LEDS.

ALL PAINT FINISHES TO BE SATIN FINISH.

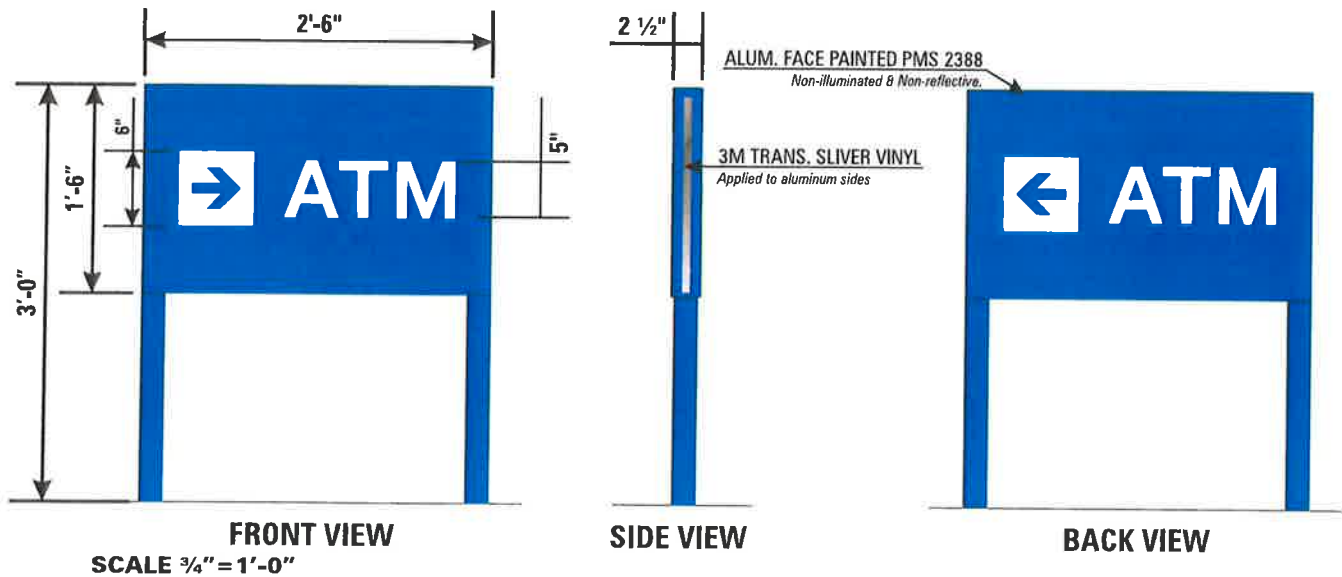


WHITE ACRYLIC

3M TRANS. SAPPHIRE
VINYL 3630-373M TRANS. LIGHT
TOMATO RED
VINYL 3630-43PANTONE
2388



EXISTING SIGNAGE

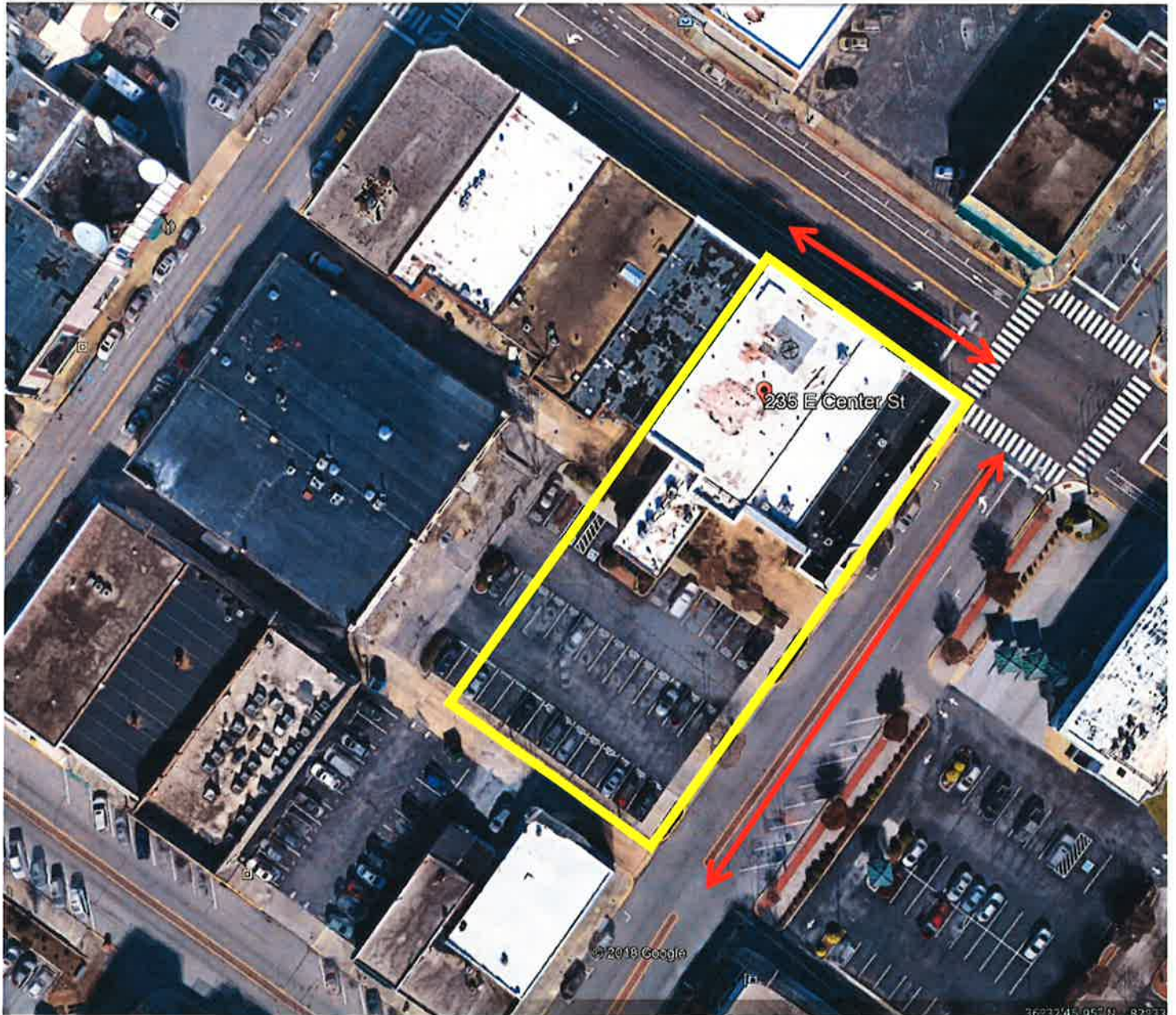


SQUARE FOOTAGE = 3.75'

DIR - 18 (QTY-1)

ALL PAINT FINISHES TO BE SATIN FINISH.

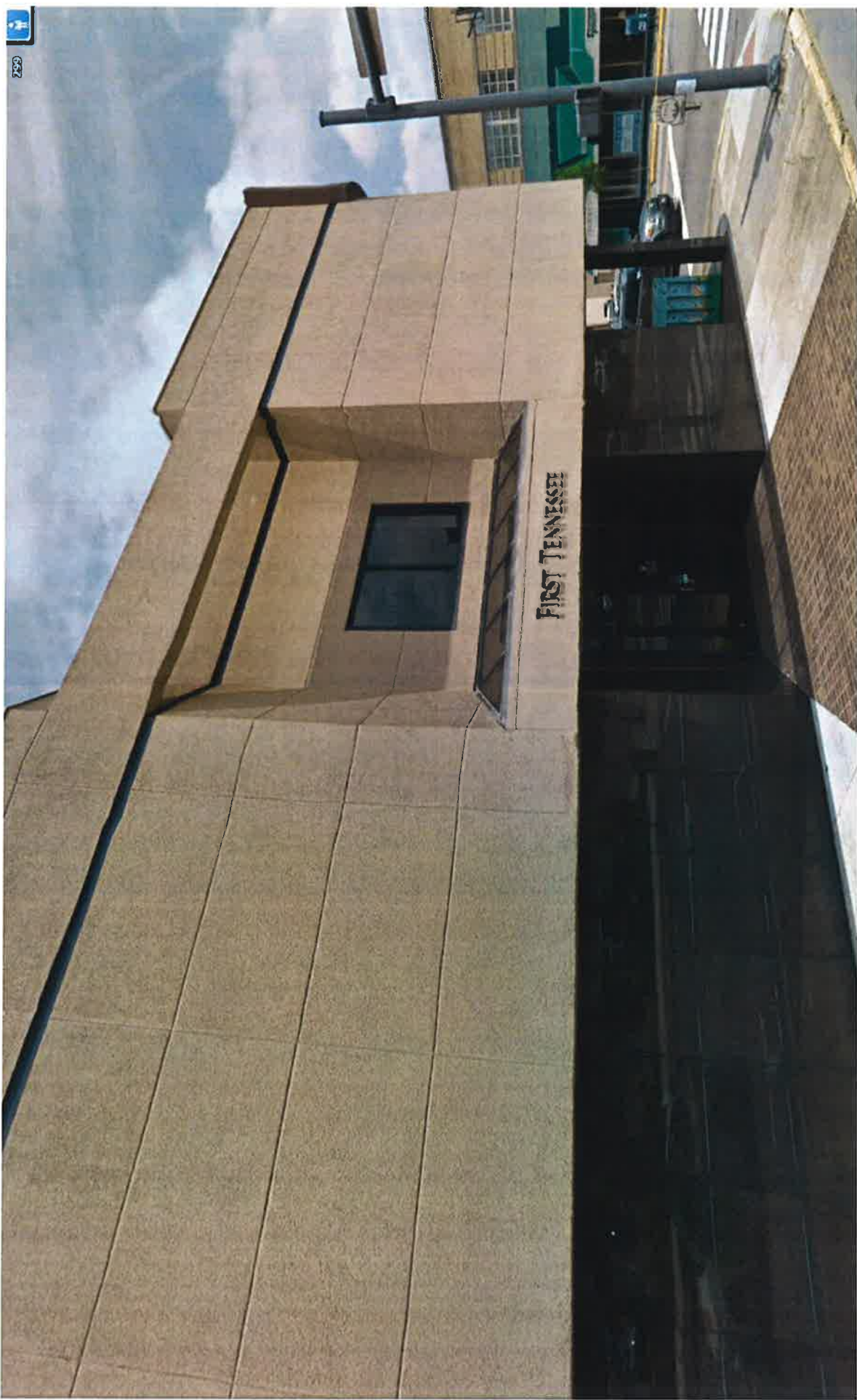
		
3M WHITE REFLECTIVE VINYL 680-10	3M TRANS. SILVER VINYL 3630-121	PANTONE 2388



Property covers an area of
256' x 125' for a total of 32,000 sq. ft.



E01- South



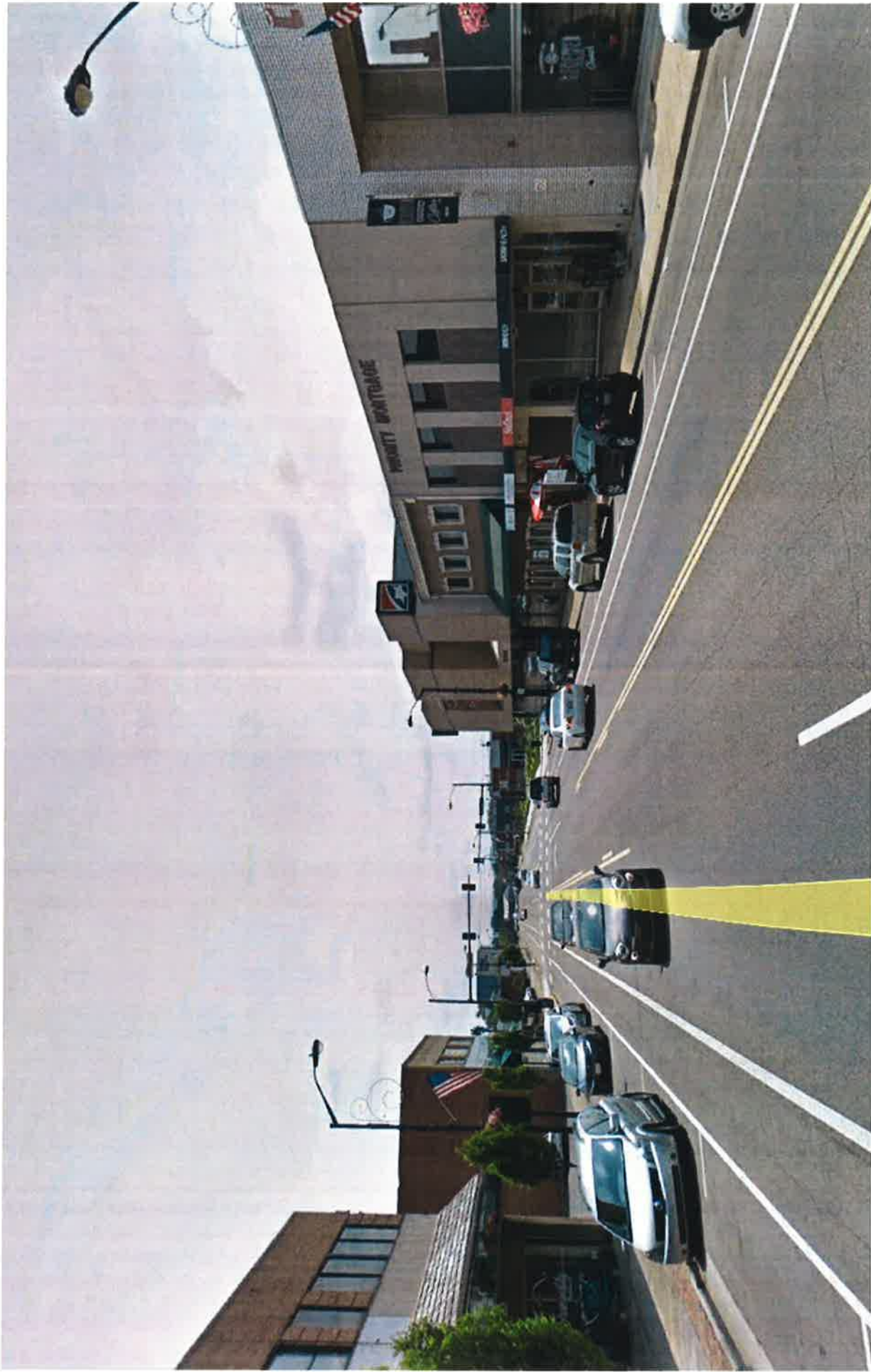
EO2- West



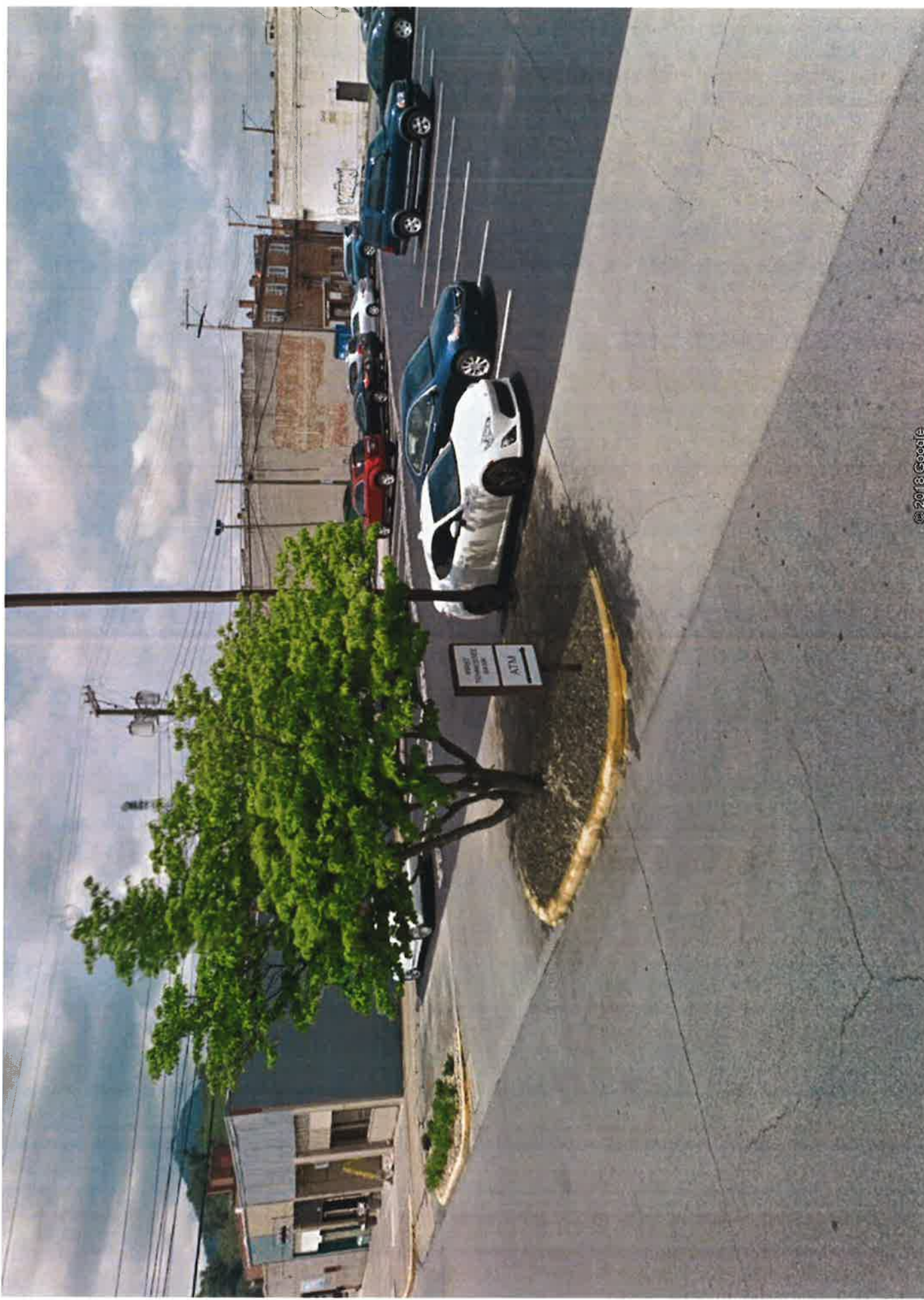
E03- Southwest
Corner



EO4- North - E12



E13- East



© 2013 Google

EOS-Directional



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: October 25, 2019

RE: Tidewater Ct/ 1345 S John B Dennis Hwy

The Board is asked to consider the following request:

Case: 19-701-00029 – Property located on Tidewater Court, Control Map 076, Parcel 020.00, requests approval from the Board of Zoning Appeals to reestablish a nonconforming use of a temporary laydown yard. The property is zoned B-4P, Planned Business District and A-1, Agricultural District.

This applicant had a laydown yard use at the same location in the past that was used for local natural gas pipeline construction. This use ceased several years ago. Subsequently, the applicant has proposed reestablishing the use temporarily to accommodate an Air Products project. The proposed lease area is approximately 12.4 acres in size and is proposed to be used for a laydown yard from Dec 1, 2019 until Sep 1, 2021.

It is important to note that a laydown yard use is a nonconforming land use in a B-4P or A-1 zone.

The representative for the item sent the following statement (below) that better describes the proposal:

Description of usage-

Plan for site is use half for remote parking for contractors performing work on our new plant site at 1010 S John B Dennis Highway. Normal schedule is 5 days, 10 hours per day. Activity in parking lot will be 0600 – 0700 AM and 1600 – 1700. Sporadic Saturday usage as rain days and make up days are needed. The other half of the yard will be used for material storage and staging. There will be a crane on site to assist with offload and loading of transport trucks. There will also be a few storage containers (Connex style) to protect small pieces from the weather. One chain link fence will secure the parameter after hours. If needed, temporary construction light may be added. From aerial photos, the site was already stoned. We will evaluate need for more stone once we can remove the weeds. No impervious surfaces will be added.

ArcGIS Web Map



25/2019, 9:30:11 AM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels

Zoning

Nulls

71

1:4.514

Web AppBuilder for Arc

ArcGIS Web Map



25/2019, 9:29:26 AM

Kpt 911 Address

Sullivan County Parcels

Hawkins County Parcels

APPLICATION

Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name: ANDERSON	First ROY	M.I. C.	Date 10-24-2019
Street Address 128 ARLINGTON CIRCLE		Apartment/Unit #	
City KINGSFORT	State TN	ZIP 37660	
Phone 423 340-9000	E-mail Address CLEVE@ACPRX.NET		

PROPERTY INFORMATION:

Tax Map Information Tax map: 076 Group: Parcel: 20.00 Lot: 12.4 ACRES/ 42 acre site			
Street Address 1345 S JOHN B DENNIS HWY, KINGSFORT, TN 37660		Apartment/Unit #	
Current Zone B-4P	Proposed Zone		
Current Use Vacant	Proposed Use Re-establish Lay-down yard for Limited period.		

REPRESENTATIVE INFORMATION:

Last Name HOLMES	JAMES	M.I. W.	Date 10-24-2019
Street Address 2060 FORT HENRY, STE. 200		Apartment/Unit #	
City KINGSFORT	State TN	ZIP 37660	
Phone 423 246-9553	E-mail Address JHOLMES@HOLMES-STICE.COM		

REQUESTED ACTION:

Re-establishing non-conforming use of the subject property as a temporary "lay down" yard. Air Products and Chemicals, Inc. is seeking to rent the subject property commencing on December 1, 2019 until September 1, 2021. The use of the property will be to store construction equipment, construction materials, contractor vehicles during the upgrading of the Air Products and Chemicals, Inc. facility in Kingsport. Proposed tenant may terminate the lease with a 60-day Notice after 12 months into the Lease term. Proposed Tenant shall clear brush, lay down gravel and fence the maximum 12.4-acre use area.

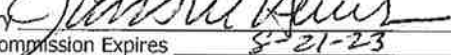
DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: 

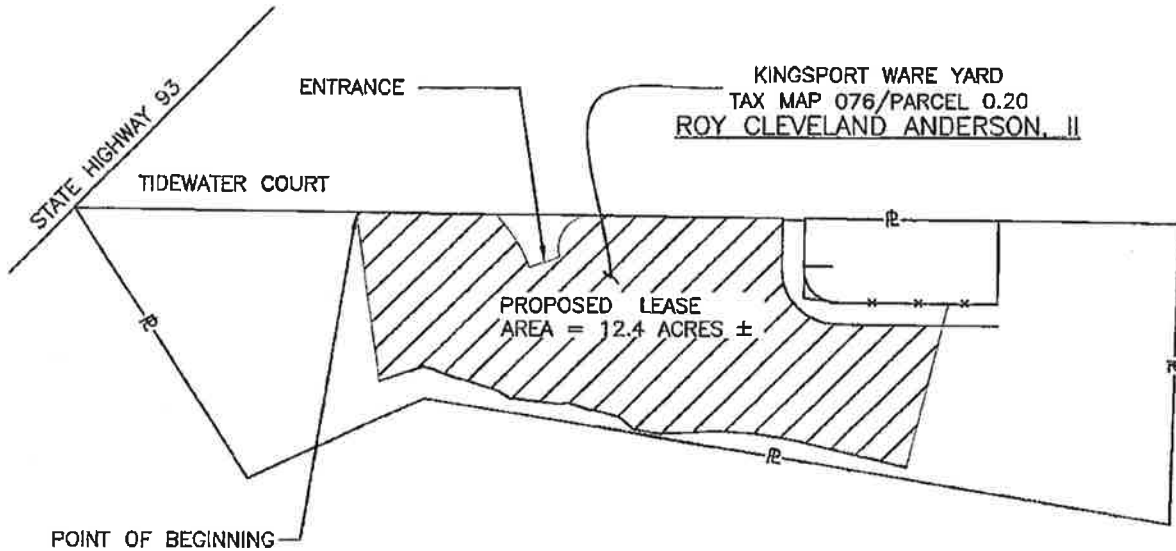
Date: 10/24/19

Signed before me on this 24 day of October, 2019,
a notary public for the State of Tennessee
County of Sullivan

Notary 
My Commission Expires 8-21-23



SULLIVAN COUNTY, TENNESSEE



GRAPHIC SCALE

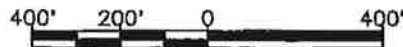


EXHIBIT 'A'

*ACTUAL LOCATION OF NEW PERMANENT EASEMENT IS DETERMINED BY THE PIPELINE AS INSTALLED
 *PROPERTY LINES ARE BASED ON COUNTY TAX MAPS AND FIELD SURVEY DATA AND ARE NOT THE RESULT OF A FULL BOUNDARY SURVEY

TITLE: **SPECTRA - NE TENNESSEE**
KINGSPORT WARE YARD
 LANDOWNER: N/F ROY CLEVELAND ANDERSON, II - TRACT NO. KINGSPORT WARE YARD

Spectra Energy
 Partners

LOC: SULLIVAN COUNTY, TENNESSEE REV.

CKD. BY: HMMHOL ENG. DATE: 7/28/2010
 DRN. BY: HMMHOL SCALE: 1"=400' DWG. NO. FW-P-90

East Tennessee Natural Gas, LLC
 5400 Westheimer Ct. Houston, TX 77056-5310 713 / 627-5400

P:\262219 SPECTRA NE TENN\SECTION_VII_DRAFTING\PLATS\FW-P-90.DWG

The parcel of land located in Sullivan County, Tennessee, being a portion of a deed book 1188C, page 505, recorded in the Register's Office for Sullivan County, more particularly bounded and described as follows:

Beginning at a point on the southerly side of Tidewater Court, said point being 650 feet more or less from the intersection of Tidewater Court with State Highway 93; thence S 89°20'00" E a distance of 319.29' to a point; thence S 37°20'28" E a distance of 52.51' to a point; thence S 36°20'09" E a distance of 16.37' to a point; thence S 31°20'12" E a distance of 24.17' to a point; thence S 25°35'18" E a distance of 28.23' to a point; thence S 20°45'05" E a distance of 23.96' to a point; thence N 70°57'55" E a distance of 72.73' to a point; thence N 13°33'17" W a distance of 11.92' to a point; thence N 03°43'47" W a distance of 13.08' to a point; thence N 11°12'18" E a distance of 25.05' to a point; thence N 33°13'16" E a distance of 32.15' to a point; thence N 57°07'12" E a distance of 29.76' to a point; thence N 73°47'11" E a distance of 18.19' to a point; thence S 89°20'00" E a distance of 452.30' to a point; thence S 00°40'03" W a distance of 5.00' to a point; thence S 89°19'46" E a distance of 50.27' to a point; thence S 00°40'14" W a distance of 116.32' to a point; thence with a curve turning to the left with an arc length of 117.81', with a radius of 75.00', with a chord bearing of S 44°19'44" E, with a chord length of 106.06', to a point; thence S 89°19'41" E a distance of 254.56' to a point; thence S 14°02'57" W a distance of 191.57' to a point; thence S 14°02'23" W a distance of 100.50' to a point; thence S 14°03'35" W a distance of 99.55' to a point; thence N 76°17'24" W a distance of 274.98' to a point; thence N 81°47'58" W a distance of 50.20' to a point; thence N 81°22'56" W a distance of 39.68' to a point; thence N 86°39'14" W a distance of 80.85' to a point; thence S 87°19'04" W a distance of 128.87' to a point; thence N 79°58'48" W a distance of 62.57' to a point; thence N 50°24'37" W a distance of 43.78' to a point; thence N 73°49'02" W a distance of 44.23' to a point; thence N 76°35'39" W a distance of 11.26' to a point; thence N 81°56'58" W a distance of 14.26' to a point; thence N 70°38'47" W a distance of 18.38' to a point; thence N 70°48'46" W a distance of 32.80' to a point; thence S 84°02'50" W a distance of 23.32' to a point; thence N 82°50'36" W a distance of 82.30' to a point; thence N 86°48'01" W a distance of 25.80' to a point; thence N 55°21'26" W a distance of 30.84' to a point; thence N 72°08'32" W a distance of 129.26' to a point; thence N 68°58'32" W a distance

of 30.06' to a point; thence N 75°08'13" W a distance of 21.94' to a point; thence S 71°57'44" W a distance of 104.21' to a point; thence N 07°56'24" W a distance of 96.67' to a point; thence N 07°55'45" W a distance of 99.90' to a point; thence N 07°55'22" W a distance of 100.07' to a point; thence N 07°59'25" W a distance of 99.02' to a point; which is the point of beginning, having an area of 12.364 acres, 538565 square feet, more or less.

This description is not based on full boundary survey and is to be used for lease purposes only.

P:\262219 SPECTRA NE TENN\SECTION_VII_DRAFTING\PLATS\FW-P-90.DWG



SULLIVAN COUNTY, TENNESSEE



MAINTAINED R.O.W.



PROPOSED PERMANENT EASEMENT =



PROPOSED TEMPORARY WORKSPACE =

GRAPHIC SCALE



EXHIBIT 'A'

*ACTUAL LOCATION OF NEW PERMANENT EASEMENT IS DETERMINED BY THE PIPELINE AS INSTALLED
*PROPERTY LINES ARE BASED ON COUNTY TAX MAPS AND FIELD SURVEY DATA AND ARE NOT THE RESULT OF A FULL BOUNDARY SURVEY

TITLE: **SPECTRA - NE TENNESSEE**
KINGSPORT WARE YARD
LANDOWNER: N/E ROY CLEVELAND ANDERSON, II - TRACT NO. KINGSPORT WARE YARD

LOC.: SULLIVAN COUNTY, TENNESSEE
CKD. BY: HMMHOL ENG. DATE: 11/11/2010
DRN. BY: HMMHOL SCALE: 1"=400' DWG. NO. FW-P-90

Spectra Energy
Partners

East Tennessee Natural Gas, LLC
5400 Westheimer Ct. Houston, TX 77056-5310 713 / 627-5400

Weems, Ken

From: James Holmes <JHolmes@holmes-stice.com>
Sent: Thursday, October 24, 2019 3:59 PM
To: Weems, Ken
Subject: RE: Kingsport BZA docs

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I just received the updated response from Air products defining their use of the facility. See below.

Description of usage-

Plan for site is use half for remote parking for contractors performing work on our new plant site at 1010 S John B Dennis Highway. Normal schedule is 5 days, 10 hours per day. Activity in parking lot will be 0600 – 0700 AM and 1600 – 1700. Sporadic Saturday usage as rain days and make up days are needed. The other half of the yard will be used for material storage and staging. There will be a crane on site to assist with offload and loading of transport trucks. There will also be a few storage containers (Connex style) to protect small pieces from the weather. One chain link fence will secure the parameter after hours. If needed, temporary construction light may be added. From aerial photos, the site was already stoned. We will evaluate need for more stone once we can remove the weeds. No impervious surfaces will be added.

From: Weems, Ken <KenWeems@KingsportTN.gov>
Sent: Thursday, October 24, 2019 3:18 PM
To: James Holmes <JHolmes@holmes-stice.com>
Subject: RE: Kingsport BZA docs

Thanks James- please scan as discussed. For future purposes, I'm located at 201 W. Market St., 2nd floor

Thanks,

Ken Weems, AICP

Planning Manager

City of Kingsport

P: 423-229-9368

C: 423-782-0116

kenweems@kingsporttn.gov



225 W. Center Street

Kingsport, TN 37660

www.kingsporttn.gov

From: James Holmes [<mailto:JHolmes@holmes-stice.com>]
Sent: Thursday, October 24, 2019 3:00 PM
To: Weems, Ken
Subject: RE: Kingsport BZA docs

**MINUTES OF THE DRIVING TOUR OF THE
KINGSPORT BOARD OF ZONING APPEALS (BZA)**

October 3, 2019

10:30 a.m.

Members Present:

Bill Sumner
Joe White
Jeff Little
Calvin Clifton

Members Absent:

Ashok Gala

Staff Present:

Ken Weems, AICP

At 10:30 a.m., the BZA departed the Development Services Building, 201 W. Market St. to conduct a driving tour of the property located at 1429 Rock Springs Road and 1351 Knightsbridge Circle. No official action was taken.

The driving tour concluded at 11:35 a.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

October 3, 2019, Regular Meeting

Noon

Bob Clear Conference Room, 1st floor of the Development Services Building

Members Present:

Bill Sumner
Joe White
Jeff Little
Calvin Clifton

Members Absent:

Ashok Gala

Staff Present:

Ken Weems, AICP
Alison Fields

Visitors:

Shannon Southerland
Jerry Cavin
Chris Berry

Chairman Sumner called the meeting to order.

Chairman Sumner explained the meeting procedures.

Ms. Alison Fields conducted the swearing in ceremony for those wishing to speak during the regular meeting. Shannon Southerland, Jerry Cavin, and Chris Berry were sworn in.

Public Hearing:

Case: 19-701-00022 – Property located at 1436 Dobyns Drive, Control Map 046N, Group C Parcel 032.00, requests a 3 foot side yard variance for the purpose of expanding an existing building to Sec 114-182(e)1(d)1. The property is zoned R-1A, Residential District.

Mr. Shannon Southerland presented the case to the Board. Mr. Southerland stated that his client needs to add on to his existing carport for extra space and storage. Mr. Southerland noted that the existing space to do so was limited.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Case: 19-701-00023 – Property located at 1429 Rock Springs Road, Control Map 105, Parcel 098.00, requests a 12 parking space reduction to Sec 114-564(4)q and a periphery yard reduction of 30 feet to Sec 114-230(c) for the purpose of constructing a new commercial building. The property is zoned B-4P, Planned Business District.

Mr. Chris Berry presented the case to the Board. Mr. Berry stated that Dollar General has conducted lots of research and knows the correct amount of parking for its stores. Mr. Berry noted the short time duration of visits to similar stores. Mr. Berry originally sought a variance to the 30 foot periphery yard, but later removed the periphery yard variance request from consideration once he decided it was no longer needed due to his project area not residing on the boundary of the B-4P zoning district. Mr. Clifton asked why the developer could not add

parking the west of the site. Mr. Berry stated that a gas line easement and existing grades make it difficult.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Case: 19-701-00024 – Property located at 1351 Knightsbridge Circle, Control Map 078A, Group E, Parcel 002.00, requests a 50 foot variance for the purpose of locating an in-ground swimming pool in the side yard to Sec 114-133(1). The property is zoned PD, Planned Development District.

Mr. Jerry Cavin presented the case to the Board. Mr. Cavin stated that he had already dug a hole for the pool, but stated that it is not something that cannot be filled back in if the variance is not granted. The Board collectively acknowledged the highly limited space in the rear yard for locating a swimming pool.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Next, Chairman Sumner called for approval of the September 5, 2019 driving tour and regular meeting minutes. On a motion by Jeff Little, seconded by Joe White, the September 5, 2019 driving tour and regular meeting minutes were approved, 4-0. Next, Mr. Weems stated for the record that the next application deadline is October 15, 2019 at noon for the November 7, 2019 regular meeting.

Adjudication of Cases:

Case: 19-701-00022 – Property located at 1436 Dobyns Drive, Control Map 046N, Group C Parcel 032.00

The Board collectively agreed that granting the requested variance would preserve the essential character of the district. Additionally, for clarification, Mr. Southerland stated that the appropriate request is a 4.3 foot side yard variance.

MOTION: made by Mr. Little, seconded by Mr. White, to grant the necessary 4.3 foot side yard variance.

VOTE: 4-0 to approve the request.

Case: 19-701-00023 – Property located at 1429 Rock Springs Road, Control Map 105, Parcel 098.00

Calvin Clifton stated that this is a very challenging piece of property to develop considering the existing stream and topography.

MOTION: made by Mr. White, seconded by Mr. Sumner, to grant reduction of required parking to a total of 30 spaces.

VOTE: 4-0 to approve the request.

**Case: 19-701-00024 – Property located at 1351 Knightsbridge Circle, Control Map 078A,
Group E, Parcel 002.00**

The Board acknowledged the severe lack of space in the rear yard that would be necessary for locating a swimming pool.

MOTION: made by Mr. Little, seconded by Mr. White, to grant the requested 50 foot side yard variance that allows the pool to be built in the side yard.

VOTE: 4-0 to approve the request.

With no further business the meeting was adjourned at 12:50 p.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager